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HISTORICAL INQUIRIES

RESPECTING

THE CHARACTER

OF

EDWARD HYDE, EARL OF CLARENDON,

LORD CHANCELLOR OF ENGLAND.

37837

BY THE

HON. GEORGE AGAR ELLIS.

Omne animi vitium tanto conspectius in se
Crimen habet, quantò major, qui peccat, habetur.
JUVENAL.

LONDON:
JOHN MURRAY, ALBEMARLE STREET.
MDCCCXXVII.

37837

TO

HENRY WELBORE,

VISCOUNT CLIFDEN,

THE VARIETY AND ACCURACY OF WHOSE

HISTORICAL KNOWLEDGE

HAVE BEEN EVER THE SUBJECT OF

THE AUTHOR'S ADMIRATION,

THESE PAGES ARE DEDICATED

WITH EVERY SENTIMENT OF

AFFECTIONATE REGARD

AND

FILIAL RESPECT.

HISTORICAL INQUIRIES,

&c. &c.

The observations, with which Lord Orford commences his "Historic Doubts on the Life and Reign of King Richard III.," explain so well the difficulties a writer has to encounter, who attempts to detect errors in generally-received points of history, that I cannot forbear transcribing them, as a sort of preface to the historical inquiries, which I am about to introduce to the notice of the literary public. "There is a kind of literary superstition," observes Lord Orford,

"which men are apt to contract from habit, and which makes them look on any attempt towards shaking their belief in established characters, no matter whether good or bad, as a sort of profanation. They are determined to adhere to their first impressions, and are equally offended at any innovation, whether the person, whose character is to be raised or depressed, were patriot or tyrant, saint or sinner. No indulgence is granted to those who would ascertain the truth. The more testimonies on either side have been multiplied, the stronger is the conviction; though it generally happens that the original evidence is wondrous slender, and that the number of writers have but copied one another; or, what is worse, have only added to the original, without any new

authority. Attachment so groundless is not to be regarded; and in mere matters of curiosity, it were ridiculous to pay any deference to it. If time brings new materials to light, if facts and dates confute historians, what does it signify that we have been two or three hundred years under an error? Does antiquity consecrate darkness? Does a lie become venerable from its age?"*

The difference between the task Lord Orford undertook, and the one which I am at present commencing, consists in this, that his discoveries all tended to show the individual, who was the subject of his inquiries, in a more favourable light; while the remarks and extracts which I shall have to bring forward, are

* Works of Horace Walpole, Earl of Orford, vol. ii.

of a nature to detract from the supposed merits of the conspicuous person treated of. Lord Orford's was doubtless the more agreeable labour of the two; but both, in my opinion, contribute equally to historical justice and accuracy.

Perhaps these sort of researches into the characters of historical personages are the most impartial that can be entered into, because personal feelings are out of the question. Nothing is to be hoped or feared from the dead; and with regard to the dead who died a century and a half ago, there cannot even be the slight bias of partiality for or against them, which may sometimes exist in more modern cases, from the circumstance of *our* having been acquainted with persons who had been formerly the friends or the opponents

of the individuals in question in their journey through life. Nor are such researches, besides being both curious and interesting, without their importance; conferring as they sometimes do a tardy reward upon merit oppressed by calumny, while, on the other hand, they occasionally reduce to their proper level characters which, either by the party writers of their own day, or by some adventitious circumstances, have been unfairly exalted.

I would wish here only further to observe, that these preparatory remarks upon historical researches are made in a general way, as explanatory of the motives and uses of such things. Every individual case of inquiry must, I am well aware, stand or fall by its own merits.

I am certainly not vain enough to imagine that I am about to make discoveries—all that I lay claim to is, the comparing and analysing of evidence, and then drawing from it the conclusions which it may fairly seem to warrant. As this is my object, I shall generally prefer giving extracts of the authors referred to, and only troubling the reader with so much of my own composition as is necessary to connect the various authorities into one continued narrative.

There is no character to which history has been more indulgent than to that of Edward Hyde, Earl of Clarendon,[b] Lord

[b] Edward Hyde, Earl of Clarendon, Lord Chancellor of England, was the third son of Henry Hyde, and was born at Dinton, in Wiltshire, on the 18th of February, 1608. He was descended from a small, but ancient gentleman's family of Cheshire. In 1622 he was sent to Oxford, and entered of Magdalen

Chancellor of England. Annalists and writers of memoirs, following one an-

Hall. In 1625 he became B. A. After which, failing of a Fellowship of Exeter College, he entered of the Middle Temple, and commenced the study of the law. In the Parliament which commenced April 10th, 1640, he was chosen Member for Wootton Basset;—and in the Long Parliament, which commenced November 3d of that same year, for Saltash. He distinguished himself as a frequent and able speaker, and soon espoused the cause of the King very warmly. In 1642, having withdrawn with the King to York, he was knighted, made a Privy Councillor, and Chancellor of the Exchequer.—In 1643, he sat in the Parliament assembled by Charles at Oxford.—In 1644, he was one of the King's Commissioners at Uxbridge.—The same year he accompanied Charles II. into the West.—In 1645, the King's affairs becoming desperate, he fled with Charles II. to Scilly, and from thence to Jersey, where he continued till May, 1648—and employed himself in writing his celebrated History of the Rebellion.—In 1648, he went to the continent and joined the new King, by whom he was continued in his post of Chancellor of the Exchequer, and shortly afterwards sent Ambassador to Spain.—In 1657, he was made Lord Chancellor.—Upon the Restoration in

other implicitly, have described him as the greatest, the most honest, and the

1660, he was chosen Chancellor of the University of Oxford—the same year he was created Baron Hyde of Hindon, in Wiltshire—and in 1661, Viscount Cornbury, of Cornbury in Oxfordshire—and Earl of Clarendon, of Clarendon in Wiltshire.—For some years his power was almost unlimited. In 1663, George Digby, Earl of Bristol, impeached him of high treason in the House of Lords, but the charge came to nothing.—In 1665, his favour with the King began to decline.—In August, 1667, the seals were taken from him; and in November of the same year he was impeached by the House of Commons, to avoid the consequences of which he, in the following month, fled to France.—Immediately after his departure an Act of banishment was passed against him.—He first resided in Normandy—afterwards at Montpelier, and at Moulins—and finally at Rouen, where he died December 9th, 1673, worn out by disease and vexation.—He was twice married, first, in 1628, to Anne, daughter of Sir George Ayliffe, who died without issue in 1629;—and secondly, in 1632, to Frances, daughter and heiress of Sir Thomas Aylesbury, Bart., by whom he had four sons and two daughters. The eldest daughter was the well-known Anne Hyde, married to James, Duke of York, afterwards James II.

most ill-used of ministers. Hume of course praises him: Macdiarmid, taking principally as an authority *the Chancellor's Memoirs of Himself*, eulogizes his integrity: and even the caustic Burnet extols him to the skies. Public opinion has naturally gone along with the testimony of history; and we have been all taught from our childhood upwards to revere "*the Chancellor of human nature*" as one of the brightest ornaments that dignify our annals. For myself I can truly say that this was for many years my case, and it was only by degrees, as I read on, more particularly since the publication of the Evelyn and Pepys' Papers, and Lord Dartmouth's Notes upon Burnet's History, that I began to think I might have been wrong in the estimate I had formed of his character.

There is no doubt that Clarendon was

a better man than the Shaftesburys,[c]

[c] Anthony Ashley Cooper, first Earl of Shaftesbury, was the son of Sir John Cooper, of Rockborn in Hampshire, by the heiress of Sir Anthony Ashley, of Wimborn St. Giles's in the county of Dorset, and was born July 22d, 1621.—He was early distinguished by his talents and his want of principle; and having alternately served and betrayed all sides during the civil wars and after the Restoration, he was finally, in 1672, created Earl of Shaftesbury, and raised to the office of Lord Chancellor. He was compelled the following year to resign the Seals; and was subsequently, for a short time, made President of the Council.—In 1681, he was indicted for high treason, but the grand jury ignored the bill.—In 1682, having made attempts to excite seditions in the city, and fearing the consequences, he fled to Amsterdam, where he died January 22d, 1683, in the sixty-second year of his age.—He was the principal adviser in 1672, being then Chancellor of the Exchequer, of the disgraceful measure of shutting up the Exchequer. He perhaps had the pre-eminence of talent over his contemporaries—he certainly had that of wickedness—though they were most of them no mean proficients in crime.—Horace Walpole says of him, that "he canted tyranny under Cromwell, practised it under Charles II., and disgraced the cause of liberty, by being the busiest instrument for it, when every other party had rejected him."

the Buckinghams,[d] the Danbys,[e] the Arlingtons,[f] and all the tribe of dissolute

[d] George Villiers, second duke of Buckingham of that name, was the eldest son of the minion of James and the favourite of Charles, and was born at Wallingford House (now the Admiralty) January 30th, 1627. His mother was Catherine Manners, daughter of Francis, sixth Earl of Rutland. He attended Charles II. at the battle of Worcester in 1651, and afterwards joined him on the continent, upon which occasion the King gave him the Garter. His vast estates, which had come to the Villiers family from the Rutlands, had been confiscated and granted to Thomas Lord Fairfax; but, in 1657, he curiously enough again became the possessor of them by a marriage with Mary, the daughter and heiress of that lord. At the Restoration he was made a Lord of the King's Bed Chamber—a Privy Councillor—Lord-Lieutenant of Yorkshire—and Master of the Horse. In his court life he passed through many vicissitudes —filled many offices—was a principal actor in various seditions and disgraceful adventures — instigated Blood in his attempt to murder the Duke of Ormonde —evaded in the most cowardly manner a duel with his son, Lord Ossory—and finally, towards the end of the reign of Charles II., retired from court to his

men and profligate ministers who followed him, and who succeeded in ren-

seat of Helmsley* in Yorkshire. He died April 16th, 1688, at a tenant's house at Kirby Moorside, having caught cold by sitting on the ground after fox hunting. "As he had lived a profligate, he died a beggar; and as he had raised no friend in his life, he found none to lament him after his death,"†—Butler, the author of Hudibras, says of him, "the Duke of Bucks is one that has studied the whole body of vice."—"The portrait of this duke," observes Walpole, "has been drawn by four masterly hands: Burnet has hewn it out with his rough chissel; Count Hamilton touches it with that slight delicacy that finishes while it seems but to sketch; Dryden catched the living likeness; Pope completed the historical resemblance."

Sir Thomas Osborne, Earl of Danby, and afterwards Duke of Leeds, was great-grandson of Edward Osborne, an apprentice to a cloth-worker in the reign

* Now belonging to the Duncombes, and called Duncombe Park; whose acquisition of it is immortalized by Pope in the well-known lines,

"While Helmsley, once proud Buckingham's delight,
Slides to a Scrivener and a city Knight."

† Reed, Biog. Dram.

dering the reign of Charles II. the most disgraceful period of English history.

of Henry VIII., who first saved from drowning, and then, as a reward for so doing, married his master's daughter; for an account of this anecdote, see Pennant's London. "Sir Thomas Osborne was," says Burnet, "a gentleman of Yorkshire, whose estate was much sunk. He was a very plausible speaker, but too copious, and could not easily make an end of his discourse. He gave himself great liberties in discourse, and did not seem to have any regard to truth, or so much as to the appearances of it; and was an implacable enemy." To this must be added, that he appears to have been one of the most corrupt men that ever lived,—and so exactly suited his master Charles in this particular, that he was more in his confidence than any of his ministers had ever been. He was "one of those secondary characters who, having been first minister, submitted afterwards to act a subordinate part in an administration."*—His only good public act, with which we are acquainted, was his hearty endeavour to bring about the Revolution—of which he lived to declare publicly in the House of Lords, he repented. He was made Treasurer of the Navy in 1671; and, on the fall of Thomas Lord Clifford in 1673, Lord High Treasurer.—The same year he was made

* Walpole.

There is no doubt that he was more religious, more decent, and more estimable

Baron Osborne, of Kiveton, and Viscount Latimer, also Viscount Dumblaine, in Scotland — Earl of Danby, in 1674—Knight of the Garter, 1677. On the accession of King William he was made President of the Council, and Lord Lieutenant of the West Riding of Yorkshire. In 1689, he was created Marquis of Carmarthen, and in 1694, Duke of Leeds. He died in 1712, at the age of eighty, at Easton Neston in Northamptonshire, the seat of his grandson, Thomas, second Lord Lempster.

' Henry Bennet, Earl of Arlington, was born in 1618. He was descended from a little gentleman's family at Harlington in Middlesex. In the beginning of the civil war he was under secretary to George Lord Digby, secretary of state. He fought on the royal side, and received several severe wounds; among others, a cut over his nose, which obliged him always to wear a black patch across it. He followed Charles II. to the continent, and was made secretary to the Duke of York. In 1658 he was knighted and sent ambassador to Spain—at the Restoration he was made Keeper of the Privy Purse—and in 1662, Secretary of State, in the room of Sir Edward Nicholas. In 1664 he was created Lord Arlington, which circumstance is thus alluded to by

than these men; but he may have been all this, and yet by no means the perfect

Clarendon: "Because he had no mind to retain his own name, which was no good one, his first warrant was to be created Cheney, which was an ancient barony expired, and to which family he had not the least relation; and for some days, upon the signing of the warrant, he was called Lord Cheney, until a gentleman of the best quality in Bucks, who, though he had no title to the barony, was yet of the same family, and inherited most part of the estate, which was very considerable, and was married to a daughter of the Duke of Newcastle, heard of it, and made haste to stop it. The patent being not yet prepared, he was contented to take the title of a little farm that had belonged to his father, and was sold by him, and now in the possession of another private person; and so was created Lord Arlington, the proper and true name of the place being Harlington, a little village between London and Uxbridge."* In 1670, he was one of the famous *Cabal*, composed of Clifford, Ashley, Buckingham, Arlington, and Lauderdale, and, as one of them, received large bribes from France. He also concurred in the measure of shutting up the Exchequer. In 1672, he was created Viscount Thetford and Earl of Arlington

* Clarendon's Life.

person he is generally represented to be. I am not certain that his being so much

(with remainder to his only daughter, afterwards married to Henry Fitz-Roy, first Duke of Grafton, and her heirs general). In 1673, he was impeached by the House of Commons for favouring Popery, for corruption, and for betraying the country; but without effect: for in the following year he was made Lord Chamberlain, which office he retained till his death, in 1685, though his favour had much diminished at Court from the time of the Earl of Danby's rise. Burnet says, "He was a proud and insolent man,"—in allusion to which the Duke of Ormonde one day observed, "that Lord Arlington was as arrogant as if he had been born with a blue ribbon about his neck, but that he ought to remember, that Harry Bennet was once a very little companion." "He was little calculated for bold measures, on account of his natural timidity; and that defect created an opinion of his moderation that was ascribed to virtue. His facility to adopt new measures was forgotten in his readiness to acknowledge the errors of the old. The deficiency of his integrity was forgiven in the decency of his dishonesty. Too weak not to be superstitious, yet possessing too much sense to own his adherence to the Church of Rome, he lived a Protestant in his out-

better than those who came after him ought not to make us more sceptical respecting his extreme excellence; for there can be no doubt that this circumstance has tended to render all men more favourably disposed towards him than they would otherwise have been: that the darkness of the other side of the picture has helped to throw *his* character and merits into a greater blaze of light. It is also probable, that the reverses and misfortunes which he met with at the latter part of his life, have,

ward profession, but he died a Catholic. Timidity was the chief characteristic of his mind; and that being known, he was even commanded by cowards. He was the man of the least genius of the party; but he had the most experience in that slow and cautious current of business, which, perhaps, suits affairs of state better than the violent exertions of men of great parts."*

* Macpherson.

by exciting pity and commiseration, rendered posterity less impartial judges of his personal qualities, than it was their bounden duty to be. To this we must add, that he was a man of very great abilities, and a supporter of legitimacy and prerogative—the former of which circumstances has ensured a predisposition to favour in all mankind, and the latter, in a great portion of the higher classes.

To his talents all must, indeed, be willing to bow with deference. The eternal monument which he has bequeathed to us in his most able, though party history, can leave no doubt upon the mind of any man of his vast and extraordinary powers. But the justness of the high reputation he has acquired on the score of virtue and probity is a

very different question. I own I am inclined to think he was, as a minister, by no means free from the charge, or at least from a heavy suspicion, of rapacity and corruption, as well as of cruelty and tyranny. How far my opinion is grounded in truth, it will be for the reader to judge, when he has read my arguments and weighed my authorities, to which I shall now without further preface proceed.

First, with regard to the disposition to rapacious and corrupt practices in the Chancellor, we find the following testimonies.

I shall commence with that of Pepys,[s]

[s] Samuel Pepys, who has latterly become so well known by the publication of his very curious Diary, was born February 23, 1632. He was educated at St. Paul's School, and at Magdalen College, Cambridge,

which I consider a very important one, inasmuch as it consists of extracts from his Diary, a work which he certainly never imagined would be read or understood by any one but himself, as he

to which Institution he subsequently bequeathed his valuable collections of books and prints. Having attached himself early in life to the fortunes of his cousin, Edward Montagu, afterwards created Earl of Sandwich, he was, by his interest, on the Restoration, made Clerk of the Acts of the Navy. In 1664, he became Secretary to the Commissioners for managing the affairs of Tangier, and Surveyor-General of the Victualling department. In 1673, he became a Member of the House of Commons, and in the same year was made Secretary of the Admiralty, when that department of the Government was new modelled and placed under the peculiar direction of the King. In 1679, he was sent to the Tower, on the accusation of one Scott, for betraying the secrets of the Navy to the French government, and for being a Roman Catholic, neither of which circumstances appear to have been founded in fact. From 1680 to 1683 Pepys was out of office. In 1683, he accompanied Lord Dartmouth in the expedition for the

wrote it in a cipher of his own invention. It is, therefore, not to be classed with so many works of the same kind, which have been written, if not avowedly, at least secretly, with the intention of publication, and to give the world

destruction of Tangier, and on his return in 1684, he was again made Secretary of the Navy, which situation he retained till the abdication of James II. In 1684 and 1685 he was President of the Royal Society. From the Revolution to the time of his death, which occurred May the 26th, 1703, he continued in retirement, and occupied himself in literary pursuits. He appears to have possessed considerable acquirements, and great knowledge of business; and is said to have done more than any one in improving the state of the navy. His honesty, also, and anxiety to serve the Public well, are evident from his Diary, as well as from other testimonies. That he was a man of frivolous habits and somewhat loose morals must be conceded; nor can we deny or justify the servility he invariably manifested to his superiors; which, however, was perhaps, in a great measure, to be ascribed to the customs and manners of the age he lived in.

a favourable opinion of the writer's views or talents. The Diary of Pepys was the intimate communion of a man with himself, in which he relates his own feelings and convictions without disguise of any kind,—and, therefore, the testimony contained in it is peculiarly valuable, and deserving of credit. It should be added, that Pepys was himself, though in some points a frivolous character, an excellent man of business, of an acute mind, and, for the age he lived in, of great honesty.

In the first quotation I shall make from Pepys, he records the opinion of Evelyn,[h] himself a man whose judg-

[h] John Evelyn, the well-known author of Sylva, and of his own Diary, was descended from a good and ancient gentleman's family in Surrey. He was born October the 31st, 1620, and died February the 27th,

ment should carry considerable weight —especially in the present case, as he

1706, at the age of eighty-five. The offices he held at different times were as follows:—In 1662, he was a Commissioner for repairing the buildings, ways, and streets, and regulating hackney-coaches in London. The same year he sat as a Commissioner on an inquiry into the conduct of the Lord-Mayor concerning Sir Thomas Gresham's charities. In 1664, he was a Commissioner for regulating the Mint, and also, for the care of the sick and wounded in the Dutch war. He was one of the Commissioners for the repair of St. Paul's Cathedral, shortly before it was burnt in 1666. In 1666, he was in a Commission for regulating the farming and making of Saltpetre. In 1671, he was made a Commissioner of Plantations, to which, in 1672, the Council of Trade was added. In 1685, he was one of the Commissioners of the Privy Seal, and in 1695 he was a Commissioner for the building of Greenwich Hospital. In 1696, he laid the first stone of that edifice —and was made the Treasurer of the Establishment. He was a man of considerable talents, much knowledge, and great taste; and in private life appears to have been religious, highly respectable, (a rare virtue in those times,) and much beloved. In his public capacity he was, probably, rather what is called a

was certainly personally friendly to the Chancellor.

"By the way he (Evelyn) tells me, that of all the great men of England, there is none that endeavours more to raise those that he takes into favour than my Lord Arlington; and that on that score he is much more to be made one's patron than my Lord Chancellor, *who never did nor will do any thing, but for money.*"[1]

In confirmation of this passage, it may be worth while to give one from Evelyn's own Diary, which, though not so

time-server—always the humble servant of those in power—and always going to Court, even when he most disapproved of the scenes he witnessed there. Still, however, the numerous amiable and praiseworthy points in his character will always far outweigh its few occasional blemishes.

[1] Pepys's Diary, vol. ii.

plain-spoken as his conversation with Pepys, evidently points at the same thing.

"Visited the Lord Chancellor, to whom his Majesty had sent for the Seales a few days before; I found him in his bed-chamber, very sad. The Parliament had accused him, and he had enemies at court, especially the buffoons and ladys of pleasure, because he thwarted them, and stood in their way; I could name some of the chiefe. *The truth is, he made few friends during his grandeur among the royal sufferers, but advanced the old rebels.*[k] He was, how-

[k] Had Clarendon been the pure and virtuous minister, which some think him, would the Country have followed the example of the Court, in deserting him; and would the former have allowed the latter to persecute him so relentlessly as they did, and even encouraged them in it? I own I think not.

ever, though no considerable lawyer, one who kept up the forme and substance of things in the nation with more solemnity than some would have had. He was my particular kind friend on all occasions."[1]

Here we find Evelyn acknowledging his friendship for Lord Clarendon, and yet blaming his conduct. It should be observed, that it is evident from the Chancellor's writings, that no one ever hated "the old rebels," as they are here called, more than he did. Why, then, did he advance them?—the answer appears to me, I own, (supported as it is by other evidence,) to be obvious; they were rich, and the "royal sufferers," who were just returned from their banishment, were poor. The first could

[1] Evelyn's Diary, vol. i.

pay for their places, the latter could not.

In support of the fact of the Chancellor's having favoured "the old rebels," and of the opinion just expressed as to his motive for such conduct, I shall now proceed to extract, from the Oxford Edition of Burnet's History of his Own Times," a note of Lord Dartmouth's. I will only preface it by observing, that Lord Dartmouth[m] was *a Tory*, and, therefore, should naturally have been disposed to be favourable to Clarendon—and that he was, in his own person, in the words of a most able con-

[m] William Legge, second Lord and first Earl of Dartmouth, was born October the 14th, 1672. He was appointed Secretary of State in 1710, and in the following year was created Earl of Dartmouth and Viscount Lewisham. He died December the 15th, 1750.

temporary, "a man of letters, full of good sense, good nature and honour, of strict virtue and regularity in his life."[n]

"The Earl of Clarendon, upon the Restoration, made it his business to depress every body's merits to advance his own, and (the King having gratified his vanity with high titles) found it necessary towards making a fortune in proportion, to apply himself to other means than what the Crown could afford; (though he had as much as the King could well grant:) and the people who had suffered most in the civil war were in no condition to purchase his favour. He therefore undertook the protection of those who had plundered and sequestered the others, which he very artfully contrived, by making the King believe it was ne-

[n] Swift, in the Examiner.

cessary for his own ease and quiet to make his enemies his friends; upon which he brought in most of those who had been the main instruments and promoters of the late troubles, who were not wanting in their acknowledgements in the manner he expected, which produced the great house in the Piccadille,[o] furnished chiefly with Cavaliers' goods, brought thither for peace-offerings, which the right owners durst not claim when they were in his possession. In my own remembrance Earl Paulett was an humble petitioner to his sons,[p] for leave to take a copy of his grandfather and grandmother's pictures (whole lengths, drawn by Vandike) that had been plun-

[o] For the Account of Clarendon House, see p. 102.

[p] Henry Earl of Clarendon, and Laurence Earl of Rochester.

dered from Hinton St. George;[q] which was obtained with great difficulty, because it was thought that copies might lessen the value of the originals. And whoever had a mind to see what great families had been plundered during the civil war, might find some remains either at Clarendon House, or at Cornbury."[r s]

The first part of the foregoing note so completely explains the previous extract from Evelyn, and is at the same time so conclusive upon the two points, first, of the Chancellor's having advanced "the old rebels," and secondly, of the reason

[q] The seat of the Lords Paulett, in Somersetshire.

[r] The Chancellor's country-house, in Oxfordshire, on the borders of Wychwood Forest. Both Wychwood Forest and Cornbury Park were grants to the Chancellor from Charles II.

[s] Burnet's History of his Own Times, Oxford Edition, vol. i.

why he did so, that I shall add nothing to such clear and explicit testimony.

But the latter part of the note contains, as will have been observed, a separate charge—namely, of his having received as bribes from "the old rebels" the furniture and pictures which had been plundered from the houses of "the Royal Sufferers." This charge, as far as documentary evidence goes, rests entirely, at least as far as I have been able to discover, upon the authority of Lord Dartmouth. It is, however, as I shall now proceed to relate, curiously confirmed by circumstantial evidence.

The furniture which the Chancellor, according to Lord Dartmouth, received, has of course, in the lapse of one hundred and fifty years, disappeared. Not so the pictures; which can be traced

accurately down to the present day, and afford in my opinion in themselves, in conjunction with Lord Dartmouth's statement, a very important evidence of the probability at least of Clarendon's rapacious inclinations.

The numerous and very valuable collection of portraits (for they are all portraits,) which belonged to the Lord Chancellor Clarendon, descended to his eldest son Henry, second Earl of Clarendon;[t]

[t] Henry Hyde, second Earl of Clarendon, was the eldest son of the Chancellor, and succeeded him in his honours and estates. He died October 22d, 1709, aged seventy, having been Chamberlain to the Queen during the reign of Charles; and Privy Seal and Lord-Lieutenant of Ireland during that of James. His Diary, which has been published, shows the infinite littleness and narrowness of his understanding. Burnet says of him, "that he was a sincere, a friendly, and a good-natured man, but of a bad temper; that he never paid his debts—and was very tedious in his conversation."

and from him to his only son Edward,[u] third Earl of Clarendon; who dying without issue male, his succession and titles devolved upon his cousin Henry[x] Earl of Rochester, eldest son of Laurence Earl of Rochester,[y] who was the second son of the Chancellor. Henry

[u] Edward Hyde, third Earl of Clarendon, the only son of Henry, second Earl of Clarendon, was a man of not much note. He was, at different periods of his life, Master of the Horse to Prince George of Denmark, Governor of New York in America, and Envoy to the Court of Hanover. He died March 31st, 1723.

[x] Henry Hyde, Earl of Clarendon and Rochester, succeeded his father in the earldom of Rochester in 1711, and his cousin in that of Clarendon in 1723. He was possessed of the lucrative office of Joint Vice-Treasurer of Ireland. As, upon his death, in 1753, he left no male issue, his titles became extinct.

[y] Laurence Hyde, first Earl of Rochester, was the second son of the Lord Chancellor Clarendon. He held the following offices: Master of the Robes to Charles II. — one of the Plenipotentiaries for concluding the Treaty of Nimeguen.—President of the

Earl of Clarendon and Rochester, had one son and three daughters. The son, Henry Viscount Cornbury,[z] died during

Council, and Lord Treasurer, in the reign of James II, —Lord-Lieutenant of Ireland, and President of the Council, in the reign of King William.—Created Baron Hyde of Wotton Basset and Viscount Hyde of Kenilworth in 1681, and Earl of Rochester, and a Knight of the Garter, in 1682. He died in 1711. Burnet observes of him, "he is a man of far greater parts than his brother. He has a very good pen, but speaks not gracefully. When he came into business, and rose to high posts, he grew violent and insolent, but was thought an incorrupt man. He has high notions of government, and thinks it must be maintained with great severity." Lord Dartmouth says, "he never knew a man who was so soon put into a passion, and that was so long before he could bring himself out of it, in which he would say things that were never forgot by any body but himself; therefore, he had always more enemies than he thought; though he had as many professedly so as any man of his time."

[z] Henry Hyde, Viscount Cornbury, only son of Henry Earl of Clarendon and Rochester, was a man of some talent and great amiability of character. Sir Charles Hanbury Williams, in his poems, calls

his father's life. The eldest daughter

him "Gentle Cornbury"—Swift says, "he is a young nobleman of learning and morals"—and Pope pays him the high compliment of advising others to "disdain whatever Cornbury disdained." Lord Orford thus draws his character: "He was upright, calm, steady; his virtues were of the gentlest complexion, yet of the firmest texture; vice could not bend him, nor party warp him; even his own talents could not mislead him. Though a master of eloquence, he preferred justice, and the love of his country to all the applause, which the violence of the times in which he lived was so prodigal of bestowing on orators who distinguish themselves in any faction; but the tinsel of popularity and the intrinsic of corruption were equally his contempt. He spoke, nor wrote, nor acted, for fame." He was the author of several pamphlets published without his name—of some tragedies still in manuscript—of a comedy called "The Mistakes, or the Happy Resentment," printed at Strawberry Hill, in 1758—and of an admirable "Letter to David Mallet, on the intended publication of Lord Bolingbroke's manuscripts." He is believed to have died by suicide at Paris, on the 28th of May, 1753, though the complaisant peerages say that his death was occasioned by a fall from his horse.

married William, third Earl of Essex;[a] the second married Charles Duke of Queensberry and Dover;[b] and the third

[a] William Capel, third Earl of Essex, was the son of Algernon, the second Earl, and his wife, Mary Bentinck, daughter of the first Earl of Portland. He was born in 1697, and died in 1743, having filled the offices of Lord of the Bed-chamber to George II., both before and after his accession—of Ambassador to the Court of Turin—and of Captain of the Yeomen of the Guard.[b] He was made a Knight of the Thistle in 1725, and of the Garter in 1732. His first wife was Jane Hyde,—his second, from whom descends the present Lord Essex, was Elizabeth Russell, daughter of Wriothesly second Duke of Bedford.

[b] Charles Douglas, Duke of Queensberry and Dover, was the second son of William Duke of Queensberry and Dover, the principal promoter and manager of the Union of Scotland and England. His eldest brother James, Earl of Drumlanrig, was an ideot, of whom the following anecdote is related. On the day when his father went to proclaim the Union of the two kingdoms, he was left at home; and the whole household being gone to see the procession, he got out of his apartment, and going into the kitchen found only a lad there, employed in turning

died unmarried.[c] The collection of pictures upon the extinction of the male Hydes was divided between Lady Essex's two daughters (Lady Essex herself being dead), and the Duchess of Queensberry, and they received each a

the spit. He seized the poor boy, spitted him, and was found in the act of roasting him, when his father returned from the ceremony. The Scotch, who hated the Union, said it was a judgment upon the duke for having favoured it. Charles Douglas was created Earl of Solway in 1707, and, on the death of his father, succeeded to the titles of Duke of Queensberry and Dover. He was a Lord of the Bed-chamber to George I.—Vice-admiral of Scotland during part of the reign of George II.—and afterwards Lord of the Bed-chamber to Frederick Prince of Wales; and in the beginning of the late King's reign, he was made Keeper of the Signet in Scotland, and Lord Justice General. He died in 1778, leaving no issue.

[c] Lady Charlotte Hyde, youngest daughter of Henry Earl of Clarendon and Rochester, died unmarried in 1740. According to a portrait of her, which is preserved at Lord Essex's seat at Cassisbury, she must have been very beautiful—much more so than either of her sisters.

third portion. The eldest of the two daughters and co-heiresses of Lady Essex was married to the Honourable Thomas Villiers,[d] (second son of William, second Earl of Jersey,) who was created Earl of Clarendon, and whose sons were the late and present earls of that name. The second married Admiral the Honourable John Forbes,[e] (second

[d] The Honourable Thomas Villiers was long Minister Plenipotentiary from Great Britain to the Court of Prussia. He was created Baron Hyde of Hindon in 1756—upon which occasion the Duchess of Queensberry is reported to have said, "if the Coxcomb is to be powdered, why must it be with the honours of my ancestors?"—He was made Earl of Clarendon in 1776, and a Count of the Kingdom of Prussia in 1782, and died December 11th, 1787. He married Charlotte Capel, eldest daughter of William, third Earl of Essex, March 30th, 1752.

[e] Admiral the Honourable John Forbes was Admiral of the Fleet, and General of the Marines. He married August 26th, 1758, Mary Capel, second daughter of William third Earl of Essex, and died March 10th, 1796.

son of George, third Earl of Granard, and had issue two daughters; the eldest, married to William Lord Maryborough —the second to the present Earl of Clarendon. These two co-heiress gave up to the late Lord Clarendon their portion of the collection; and the whole of the two thirds, which formed the inheritance of the daughters of Lady Essex, are consequently now united at the Grove, the seat of Lord Clarendon, in Hertfordshire.

The Duchess of Queensberry's[f] two

[f] Catherine Hyde, Duchess of Queensberry, was the second daughter of Henry Earl of Clarendon and Rochester, and was married in 1719 to Charles Duke of Queensberry and Dover. Her talents, her beauty, her eccentricities, are too well known to be here dwelt upon. She was the affectionate friend and patroness of Gay, and has been celebrated in verse by him, by Pope, by Swift, by Walpole, and by Whitehead. When she was forbid the court of

sons dying during the life-time of their father, she bequeathed her third of the

George II., in consequence of her having warmly espoused the cause of her protegé Gay, whose continuation of the Beggar's Opera, called "Polly," had been forbid by the Lord Chamberlain (the Duke of Grafton) to be acted, she sent the following indignant message to the King.—"The Duchess of Queensberry is surprized and well pleased that the King hath given her so agreeable a command as to stay away from court, where she never came for diversion, but to bestow a great civility upon the King and Queen. She hopes by such an unprecedented order as this, that the King will see as few as he wishes at his court; particularly such as dare to think or speak truth. I dare not do otherwise; and ought not, nor could have imagined, that it would not have been the very highest compliment I could possibly pay the King, to endeavour to support Truth and Innocence in his House.

C. QUEENSBERRY.

Particularly when the King and Queen had both told me, that they had not read Mr. Gay's play; I have certainly done right, then, to stand by my own word, rather than His Grace of Grafton's, who hath neither made use of Truth, Judgment, or Honour, through

Clarendon portraits to the Earl of March,[s] who succeeded her husband as Duke of Queensberry, and was the last Duke of that name. He, upon his decease, left

this whole affair, either for himself or his friends." The Duchess of Queensberry died at great old age in 1777. Her two sons died during the life-time of their parents. The eldest of the two, called Henry Marquis of Drumlanrig, shot himself at an inn at Doncaster, coming up with his father from Scotland, October 19th, 1754. The second, called Charles Marquis of Drumlanrig, died at Lisbon, whither he had gone for the recovery of his health, in October, 1756.

[s] William Douglas, fourth Duke of Queensberry, was descended from William Douglas, second son of William, first Duke of Queensberry, who was created Earl of March. He became Duke of Queensberry in 1778, upon the demise of his cousin Charles Duke of Queensberry and Dover. He died December 23d, 1810, aged eighty-six, when his titles and estates were variously divided between the Duke of Buccleugh, Lord Douglas of Douglas, the present Marquis of Queensberry, and the Earl of Wemyss.

them to the present Lord Douglas of Douglas, in whose house of Bothwell, in Scotland, they at present remain.

Nothing can, I trust and believe, be much more accurate than this pedigree of the Clarendon pictures; and I have been the more anxious, even at the risk

[h] Archibald Douglas, created Lord Douglas of Douglas Castle, in 1790, still alive, is the very individual, the legitimacy of whose birth was contested in what is generally called *the great Douglas cause.* That cause was decided in his favour, mainly by the influence of Lord Mansfield, and he in consequence became possessed of all the estates of Archibald, last Duke of Douglas, and was held to be the legitimate offspring of Sir John Stewart and Lady Jane Douglas, his wife, sister and heiress of the said Duke of Douglas. Public opinion has run somewhat counter to that decision; which, however, as the decision was final, and without appeal, is of little importance. Those who are anxious for information upon the subject, are referred to the curious and able series of letters written by Andrew Stewart, and addressed to Lord Mansfield.

of being tedious, to make it so; in order to show that the collection remains *as it was*. Now every one who sees the collections of portraits at the Groye and at Bothwell Castle must, I think, at once acknowledge the probable correctness of Lord Dartmouth's account of the manner in which the Chancellor acquired them—for they will find that they comprize the most extraordinary assemblage of persons of different *races* that can well be conceived—more especially the portraits of the different members of almost all the conspicuous families on the King's side in the civil wars. Among them are the Stanleys, the Cavendishes, the Villiers's, the Hamiltons, the Coventrys, &c. &c. &c. — families with whom the newly elevated Hydes had certainly no connexion of blood—and who,

or their descendants at the Restoration, undoubtedly bore no kindly feeling to the Chancellor, and therefore were by no means likely to have given these, *their household gods*, to him. Besides, who ever gives their family portraits away to a stranger? and that they were become *in point of age*, by the time of the Restoration, family portraits, is evident; as they are almost all painted by either Vandyck[i] or Cornelius Jansen,[k] and

[i] The celebrated painter, Anthony Vandyck, was born at Antwerp in 1599, and died in London in 1641. He studied painting under Henry Van Balen and Rubens. He painted much in England; but, in consequence of being too much hurried, from having more commissions than he could execute, his pictures painted in this country are for the most part very inferior to those which he executed in Flanders, Holland, and Italy. He was knighted by Charles I. in 1632. He married the daughter of the Honourable Patrick Ruthven, an eminent physician, brother of John, third Earl of Gowrie in Scotland

therefore must have been in existence before the civil wars began. Neither is it probable that the Chancellor could have bought these pictures, for had they ever been on sale, there can be no doubt the families to which they originally belonged, would have managed to purchase them.

In all other collections of portraits in England, it is for the most part easy to discover how each portrait came into the family, by tracing its relationship and connexions; but here there is

(who is said by some historians to have conspired treasonably against James I., together with his brother, Alexander Ruthven).

* Cornelius Jansen. This eminent painter of portraits was born at Amsterdam about the year 1590. He came to England in 1618, and continued there till 1648, when he returned to his own country, where he died in 1665. He was much patronized by James I., whose portrait he frequently painted.

hardly a single instance in which such a connexion, even of friendship, can be made out. Under all these circumstances of strong collateral evidence, I feel myself bound to say, that I fully and entirely believe in Lord Dartmouth's explanation (as indeed it is the only reasonable one that can be given) of the manner in which the Chancellor Clarendon became possessed of his collection of portraits.

I shall now return to the testimonies of Pepys with regard to the Chancellor's general reputation for rapacity, and will afterwards quote some passages relative to a particular transaction, in which Pepys was himself engaged with him.

"Sept. 9th, 1665. I was forced to get a bed at Captain Cocke's, where I

find Sir W. D'Oyly,[l] and he and Evelyn at supper; and I with them full of discourse of the neglect of our masters, the great officers of state, about all business, and especially that of money: having now some thousands prisoners kept to no purpose at a great charge, and no money provided almost for the doing of it. We fell to talk largely of the want of some persons understanding to look after businesses, but all goes to rack. 'For,' says Captain Cocke, 'my Lord Treasurer,[m] he minds his ease, and lets

[l] Sir William D'Oyly, of Shottisham, Norfolk, knighted, 1642—created a Baronet, 1663—M.P. for Yarmouth — ob. 1677. He was Commissioner, with Evelyn, for the care of the sick and wounded Seamen and Prisoners of War.

[m] Thomas Wriothesley, fourth and last Earl of Southampton, Lord High Treasurer of England from 1660 to 1667. He died May 16th, 1667. He left behind him the character of an incorrupt

things go how they will: if he can have his £8000 per annum, and his game at

minister: but he had the fault of leaving the business of the Treasury wholly in the hands of underlings, and taking no charge of it himself, which Burnet attributes to his disgust at the King's proceedings. Burnet says of him, that "he was a man of great virtue and very good parts. He had a lively apprehension and a good judgment." Clarendon is still more flattering in his character of him, and says, "he was indeed a great man in all respects." Pepys gives the following account of his death:—"Great talk of the good end that my Lord Treasurer made; closing his own eyes, and wetting his mouth, and bidding adieu with the greatest content and freedom in the world: and is said to die with the cleanest hands that ever any lord treasurer did." The same author tells an anecdote, upon the authority of Sir William Coventry, which, if true, is a decided blot upon the character of Southampton as a constitutional minister; namely, that he advised Charles II. to get a fixed revenue, and so make himself independent of parliaments, from which step he was dissuaded by Clarendon.—"Sir William Coventry did tell me, that when the King did show himself forward for passing the act of indemnity, he (Lord Southampton) did advise the King that he would hold his hand in

l'ombre, he is well. *My Lord Chancellor, he minds getting of money, and nothing else*; and my Lord Ashley[n] will rob the devil and the altar, but he will get money if it be to be got."[o]

"Oct. 13th, 1667. Met Sir H. Cholmly,[p]

doing it till he had got his power restored that had been diminished by the late times, *and his revenue settled in such a manner as he might depend on himself without resting upon parliaments*, and then pass it. But my Lord Chancellor, who thought he could have the command of parliaments for ever, because for the King's sake they were awhile willing to grant all the King desired, did press for its being done; and so it was, and the King from that time able to do nothing with the Parliament almost."

[n] Anthony Ashley, afterwards Earl of Shaftesbury: for his character see Note at page 10.

[o] Pepys's Diary, vol. i.

[p] Sir Hugh Cholmly, Bart., of Whitby in Yorkshire, was one of the Commissioners, with Pepys and others, for managing the affairs relating to Tangier. He was also employed in constructing the mole at that place, and resided there in consequence some years. He died in 1688.

who walked with me, and told me most of the news I heard last night of the parliament; and thinks they will do all things very well, only they will be revenged of my Lord Chancellor; and says, however, that he thinks there will be but two things proved on him; and one is, that he may have said to the King and to others words to breed in the King an ill-opinion of the parliament—that they were factious, and that it was better to dissolve them: and this he thinks they will be able to prove; but what this will amount to he knows not. *And next, that he hath taken money for several bargains that have been made with the crown; and did instance one that is already complained of:* but there are so many more involved in it, that should they unravel things of this sort, every

'body almost will be more or less concerned. But these are the two great points which he thinks they will insist upon, and prove against him."[q]

It will be seen by the first part of the foregoing extract, that the Chancellor had spoken to the King against the parliament. That his dislike to parliaments was *general* is evident from the following passage, also extracted from Pepys.

" June 25th, 1667.—Sir H. Cholmly tells me great news; that this day in council the King hath declared, that he will call his parliament in thirty days: which is the best news I have heard a great while, and will, if anything, save the kingdom. How the King came to be advised to this, I know not; but he tells me that it was against the Duke of

[q] Pepys's Diary, vol. ii.

York's mind flatly, who did rather advise the King to raise money as he pleased, *and against the Chancellor's, who told the King that Queen Elizabeth did do all her business in* 88 *without calling a parliament, and so might he do for any thing he saw.*"[1]

Andrew Marvell[2] also in his state

[1] Pepys's Diary, vol. ii.

[2] Andrew Marvell was born at Hull in 1620. His father was a clergyman and schoolmaster in that town. He was sent at the age of thirteen to Trinity College, Cambridge, where, cultivating assiduously the good abilities he had received from nature, he became an excellent scholar, and, according to Aubrey, the best writer of Latin verses of his time. He was first brought into public life in the capacity of Assistant to Milton, who was then Latin Secretary to the Protector. This happened in 1657. In 1660 he was chosen Member for Hull, and again in 1661. Aubrey says, "his native town of Hulle loved him so well, that they elected him for their representative in parliament, and gave him an honorable pension to maintain him." He was the last

poems thus describes Clarendon's *horror* of parliaments.

"Blither than hare that hath escap'd the hounds,
The House prorogued, the Chancellor rebounds.
Not so decrepid Æson, hash'd and stew'd
With magic herbs rose from the pot renew'd,
And with fresh age felt his glad limbs unite,
His gout (yet still he curs'd) had left him quite.
What frosts to fruits, what arsenick to the rat,
What to fair Denham[t] mortal chocolate,
What an account to Carteret, that and more,
A parliament is to the Chancellor!
So the sad tree shrinks from the morning's eye,
But blooms all night, and shoots its branches high;
So at the sun's recess, again returns
The comet dread, and earth and heaven burns."[u]

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man who received a gratuity from his constituents. He seldom spoke in parliament, but had great influence with the members of both houses; as well on account of his talents, as of his great and just reputation for integrity. He was so much consulted upon political subjects by Prince Rupert, that the opposite party were accustomed to call him "The Prince's Tutor." The court frequently made him very advantageous offers, which he invariably rejected

That these quotations induce a strong suspicion that the Chancellor was by no

with disdain. He wrote several political and controversial tracts, and a considerable number of satirical poems, of which, though the rhythm is apt to be rugged, the humour is considerable. They are, however, now but little read. Burnet calls him, "the liveliest droll of the age, who wrote in a burlesque strain; but with so peculiar and entertaining a conduct, that from the king down to the tradesman, his books were read with great pleasure." Marvell died in 1678, aged fifty-seven; and the Jesuits are suspected of having poisoned him. Aubrey says, "he was in his conversation modest, and of very few words." To Marvell's character generally we may truly apply, with reference to the age he lived in, the words of Lord Orford, when speaking of the Chancellor Somers—"He was one of those divine men, who, like a chapel in a palace, remains unprofaned, while all the rest is tyranny, corruption, and folly."

† For the account of the beautiful Lady Denham, of her intrigue with the Duke of York, of her husband's jealousy, and of her subsequent death, supposed to have been caused by poison, see "Memoires de Grammont."

‡ The Works of Andrew Marvell, Esq. vol. ii. Edit. 1772.

means a very constitutional minister, cannot be contested; especially when they are supported by the sentiment uttered by him to the Earls of Glencairn[y] and Rothes,[x] who came to court to complain of some proceedings of the Earl of

[y] William Cunningham, ninth Earl of Glencairn, was, says Burnet, "a grave and sober man." He was, notwithstanding, a member of the infamous and dissolute ministry, who, headed by the Earl of Middleton, exercised such horrible tyranny in Scotland in the early part of the reign of Charles II. He was made Chancellor of Scotland in 1660, and died in 1664. His death is said to have been occasioned by vexation in consequence of Archbishop Sharp's having obtained a letter from the King to the Privy Council, giving the Primate precedence over the Chancellor—a circumstance, which, if true, does not give a high idea of his wisdom. It should be mentioned to his credit, that he was the enemy of Lauderdale and of Archbishop Sharp.

[x] John Leslie, fifth Earl of Rothes, "was a man," observes Burnet, "of no education, all in him was mere nature. But it was nature very much depraved; for he seemed to have freed himself from

Lauderdale,[y] whose character is too notorious to render any comment at present necessary. "They (Glencairn and

all impressions of virtue or religion, of honour or good nature. He delivered himself, without either restraint or decency, to all the pleasures of wine and women. He had but one maxim, to which he adhered firmly, that he was to do every thing, and deny himself in nothing, that might maintain his greatness, or gratify his appetites." When this course of life was censured, it was only answered, "*That the King's Commissioner ought to represent his person.*" To such men did Charles intrust the government of his native kingdom. He was made President of the Council in 1660.—King's Commissioner in 1663—Lord Treasurer in 1664—and Lord Chancellor, per interim—all which offices he held together till 1667, when he was made Lord Chancellor, but turned out of his other places, by the management of Lauderdale. He was created Duke of Rothes and Marquis of Ballinbreich in 1680, and died in 1682.

[y] John Maitland, second Earl of Lauderdale, created, in 1672, Duke of Lauderdale and Marquis of March, in Scotland; in 1674, Earl of Guildford and Baron Petersham, in England; made a Knight

Rothes,)" says Burnet, "were ordered to proceed in their charging of him, as

of the Garter in 1672. He was one of the worst characters of the many bad ones that disgraced the age of the second Charles. He had originally been a covenanter, but afterwards fought for the King at Worcester, where he was taken prisoner. He was a man of some talent, though the Duke of Buckingham said he had "a blundering understanding." "He was haughty beyond expression; abject to those he saw he must stoop to, but imperious to all others. He had a violence of passion that carried him often to fits like madness. He was the coldest friend, and the violentest enemy. He at first seemed to despise wealth; but he delivered himself up afterwards to luxury and sensuality: and by that means he run into a vast expense, and stuck at nothing that was necessary to support it. In his long imprisonment (after the battle of Worcester) he had great impressions of religion on his mind: but he wore them out so entirely, that hardly any trace of them was left. His great experience in affairs, his ready compliance with every thing that he thought would please the King, and his bold offering at the most desperate counsels, gained him such an interest in the King, that no attempt against him, nor complaint of him, could ever shake it, till a decay of strength and under-

the Earl of Clarendon should direct them. *But he told them the assaulting of a*

standing forced him to let go his hold. He was in his principles much against Popery and arbitrary government; and yet, by a fatal train of passions and interests, he made way for the former, and had almost established the latter. And, whereas, some by a smooth deportment made the first beginnings of tyranny less discernible and unacceptable, he, by the fury of his behaviour, heightened the severity of his ministry, which was liker the cruelty of an inquisition than the legality of justice. With all this he was a Presbyterian, and retained his aversion to Charles I. and his party to his death." The same historian (Burnet) thus describes his appearance and manner: "He made a very ill appearance: he was very big: his hair red, hanging oddly about him: his tongue was too big for his mouth, which made him bedew all he talked to: and his whole manner was rough and boisterous, and very unfit for a court." Elizabeth Murray, Countess of Dysart, a woman of infamous character—corrupt, violent, cruel, and dissolute, but "of great beauty, and greater parts," who first lived with Lauderdale, and afterwards married him, was supposed by her intrigues and counsels to have led him into many of his errors. She was the daughter of William Murray, who became Lord

minister, as long as he had an interest with the King, was a practice that never could be approved: it was one of the uneasy things

and Whipping-boy to Charles I. was by him created Earl of Dysart. Lauderdale was made Secretary of State in Scotland in 1660, and from the time of the disgrace of the Earl of Middleton, in 1663, till his own death, in 1682, was the uncontrolled ruler of that unhappy country.

* Gilbert Burnet, Bishop of Salisbury, and author of the valuable History of his Own Times—of the History of the Reformation—of the History of the House of Hamilton, and of other works, was born at Edinburgh, September the 18th, 1643—Preacher of the Rolls, 1675—Bishop of Salisbury, 1689—Died, 1715. His character has been very variously represented, both by contempary writers, and by posterity; which was certain to be the case, as he was not only a strong party man, but a strong party writer. Judged impartially, he would appear to have been a man of considerable abilities, though uncultivated, and of great natural shrewdness, and acute judgment, though the first is occasionally clouded in his works by a sort of awkward way of writing; and the last by party prejudices. He was apparently honest, conscientious, and religious, though his fate and the circumstances of the times threw him more into the current of worldly politics than befits a churchman.

that a House of Commons of England sometimes ventured on, which was ungrateful to

He was also a man of liberal principles and feelings, a great and rare merit in a Bishop. His talents appear to have been allowed even by his enemies, for a political lampoon against him entitled "Sarum's Dirge," which has been attributed to Swift, thus describes him:—

1.

Here Sarum lies, was once as wise
And learn'd as Tom Aquinas;
Lawn sleeves he wore, yet was no more
A Christian than Socinus.

2.

Oaths *pro* and *con* he swallowed down,
And gold like any layman;
Wrote, preach'd, and pray'd, and yet betray'd
God's holy church for Mammon.

3.

Of every vice he had [illegible],
Although a reverend prelate:
He liv'd and died, if not belied,
A true dissenting zealot.

4.

If such a soul to Heaven has stole,
And slipt old Satan's clutches,
You'll then presume [illegible]
For Marlborough and his duchess.

the Court."* Here we have, certainly, a confirmation and extension of Lord Clarendon's unconstitutional views; and, at the same time, an elucidation of the reason why he had so rooted an aversion to Parliaments. They sometimes assaulted a minister; and, if one minister, why not another? As, indeed, the Chancellor afterwards found to his cost. These quotations have been brought in at the present moment, instead of being reserved for the tyrannical part of the Chancellor's character, to which they in some respects more appropriately belong, because, though they do not prove corruption, they undoubtedly, joined with other collateral circumstances, very much favour the notion of it. It is to

* Burnet's History of his Own Times, vol. i. Oxford Edition.

be remembered, that a corrupt minister is always the one who has the greatest fear and dislike of Parliaments; nor should it be forgotten in the present instance, that when the House of Commons *did* impeach the Chancellor, out of *seventeen* articles of impeachment *eight* were for corrupt practices. This latter circumstances is only mentioned, as helping to fill up a link in the chain of corroborative evidence, with regard to Clarendon's general reputation in all transactions relating to money. Standing alone, it would have proved nothing; but joined with other testimony, it has, and ought to have, its weight.

We shall now proceed to notice Anthony A'Wood's[b] accusations against Lord Clarendon.

[b] Anthony A'Wood, the celebrated Antiquary and

In his Life of Judge Glynne,[c] in the Athenæ Oxonienses, Anthony A'Wood Historiographer of the University of Oxford, was born at Oxford, December 17th, 1632. He was educated partly at New College School, in Oxford, and partly at the Free School, at Thame. He was admitted of Merton College, in 1647—became Bachelor of Arts, in 1652, and Master of Arts, in 1655. In 1674, he published his "Historia et Antiquitates Universitatis Oxoniensis." In 1691, he published his more important work, entitled "Athenæ Oxonienses," "being an exact History of all the Writers and Bishops, who have had their education in the most ancient and famous University of Oxford, from the fifteenth year of King Henry VII. A.D. 1500." He died at Oxford, November 29th, 1695. Since his death his Diary, written by himself, has been published, which is very curious, both from the anecdotes contained in it, and the quaint and peculiar manner in which they are related. Anthony A'Wood appears to have been a man of great research and industry—of considerable abilities—of a singular simplicity of mind—strictly honest in his opinions, but much prejudiced in favour of the High Church party.

[c] John Glynne, the third son of William Glynne, Esq. of an ancient Welsh family, was born in 1603.

says, " After the restoration of King Charles II. he was made his eldest serjeant at law, *by the corrupt dealing of the then Chancellor.*"[a] Again, in speaking

He was a supporter of the Parliament side in the civil wars, and, according to Wood, " a zealous covenanter." He was made High Steward of Westminster—Recorder of London—and was a member of the Long Parliament. In 1655 he was sent into the West to arraign Colonel Penruddock, and other Cavaliers, taken at South Molton; in allusion to which expedition he is brought by Butler into Hudibras:

> " Did not the learned Glynne and Maynard,
> To make good subjects traitors strain hard?"

In the same year he was made by Cromwell Lord Chief Justice of the Upper Bench, and a member of the Protector's House of Lords. In April, 1660, he was chosen to represent Carnarvonshire in Parliament; and after the Restoration was made the King's eldest Serjeant at Law, by the means related in the text, and subsequently knighted. He died November 15th, 1666.

[a] Wood's Athenæ Oxonienses, vol. ii. Folio Edition. This is exactly a case in point, corroborative

of David Jenkyns,* he observes, "After the restoration of King Charles II. it was expected by all, that he should be made one of the Judges in Westminster Hall; and so he might have been, *would he have given money to the then Lord*

of what we have previously seen stated by Evelyn and Lord Dartmouth (pages 26, 27), respecting Lord Clarendon's advancement of "the old rebels," and the reasons why he did so. And the subsequent anecdote concerning David Jenkyns is equally confirmatory of his neglecting "the royal sufferers," who either could not or would not bribe him.

* David Jenkyns was a Welshman, educated at Oxford, and one of the Judges for South Wales, where he distinguished himself by his learning and eminence in his profession, and by his steady adherence to the cause of Charles I." In a letter of Sir Peter Pett's, he is called, "that Glorious Confessor of Loyalty, Judge Jenkyns." In 1645, he was taken prisoner by the Parliament forces at Hereford —imprisoned in Newgate—impeached for treason before the House of Commons—when, denying their authority, and refusing to kneel, he was fined £1,000—

Chancellor; but he scorned such an act after all his sufferings."[f]

Here, again, are distinct charges of corruption brought against Clarendon—and by whom? By the High Church Anthony A'Wood, who was about as

recommitted to prison, and afterwards transferred to Wallingford Castle. In 1650, an Act was passed for his trial before the High Court of Justice. "He now," says Wood, "thought of nothing but hanging, and resolved, if it should come to pass, to suffer with the Bible under one arm and Magna Charta (of which he was the zealous defender) under the other." He was, however, spared, it is said at the intercession of Harry Marten, and sent to Windsor Castle, where he remained till 1656, when he was released. He retired after the Restoration into Glamorganshire, and died there in 1667. Wood calls him "a person of great abilities in his profession;" and Sir Peter Pett says, "he was a very acute man," and that "it was a scandal to the age, that he was not made a judge in Westminster Hall." Sir Peter adds, "Old Clarendon had then as much power as ever premier minister had."

[f] Wood's Athenæ Oxonienses, vol. ii. folio edition.

great an enemy to Presbyterians as the Chancellor himself; and whose prejudices, and they were very strong ones, must all have run naturally in his favour. This certainly gives the greater value to his statements; for had not the evidence against Clarendon been in his opinion, peculiarly strong, and clear, and uncontrovertible, he certainly would never have censured him.

It is remarkable, also, that all those who testify of Clarendon's corrupt practices, with the exception of Pepys and Marvell—I mean Dartmouth, Wood, and Evelyn, were men of the same political opinions with himself, High Churchmen and High Tories, and the last was a personal friend—circumstances which, without doubt, add very considerably to the weight of their testimonies.

What happened to Wood, in consequence of the passages in the Athenæ just quoted, must now be related. Henry Earl of Clarendon, the son of the Chancellor, "a man," says Burnet,[g] "who was peevish and splenetic, and whose judgment was not to be depended on, for he was much carried by vulgar prejudices and false notions,"[h] excited the University of Oxford to persecute Wood for what he had said of his father. The University was at that time almost idolatrous of the name of the Chancellor Clarendon, who, in addition to his High Church and High Tory principles, had been also *their* Chancellor; and was, as is well known, in an especial manner the

[g] Burnet's History of his Own Times. Oxford Edition, vol. i.

[h] For a further account of this Lord Clarendon, see note concerning him, page [illegible].

patron of Churchmen and the persecutor of Dissenters. They therefore forthwith pronounced against Wood,[i] "That he should be banished, and deprived of all privileges belonging to a member of the University, until he should make a proper recantation. That the book should be burnt; and that he should pay the costs of the suit, which amounted to thirty-four pounds."[k] That this vindictive proceeding against Wood[l] rather

[i] Life of Mr. Anthony A Wood. Oxon, 1772.

[k] Dated July 29, 1693.

[l] Wood thought himself very harshly treated upon this occasion, and in his Life details his reasons for this opinion. He also complains that "he has been made a tool to recover the credit of a person that hath been banished twenty-eight years, and dead twenty." Subsequently, Wood, in a conversation he held with Lord Clarendon, told him, that "he had gotten from him more money than he could get again in five or six years, for he earned but 2*d. per diem*."

strengthens than otherwise the belief in the truth of his accusations, or at least does not weaken them, can hardly be doubted. Punishments of this sort, inflicted at the instigation of filial partiality by a prejudiced tribunal, can never disprove asserted facts.[m]

Among those of his contemporaries who seem to have thought the worst of the Chancellor, Andrew Marvell must

[m] In 1693, Sir Peter Pett, writing to Anthony A'Wood on the subject of the attack upon him by Henry Lord Clarendon, says, "If ever you come to spend any time in this town, (London,) you may fish facts enow of incontestable truth about old Clarendon in the Journals of the House of Commons, and of the Lords, where, perhaps, I may get you leave to search gratis." See Letters published from the Bodleian, vol. i. What these facts against Clarendon are, to which Sir Peter alludes, we cannot now know. Wood apparently never accepted his invitation, and died in less than two years after the date of this letter.

be mentioned; who, in his poems, repeatedly accuses him of bribery, corruption, insolence, and avarice. Marvell, it may be replied, was a satirist, and satirists are undoubtedly a race of men whose statements ought not to be implicitly received without deduction. But the way in which he frequently speaks of Clarendon assists at least in favouring the belief, that there was in those days a pretty general opinion that such blemishes did attach to his character. Nor should Marvell, who has left behind him one of the brightest characters for fearless and noble-minded integrity in all history, be confounded with the numerous venal writers of libels of the age of Charles II., whose praise or abuse is of course equally without value. In the Poem entitled, "Instructions to a

Painter, 1667." "Hyde's avarice" is mentioned as excessive and notorious. The Canary patent, for the granting of which he was charged with having received a sum of money, is also alluded to:

> "Now the Canary patent may
> Be broach'd again for the great holyday."

Also the sums he was supposed to have received for farming the Customs at a lower rate than they were worth:

> "The kingdom's farm he lets to them bids least,
> (Greater the bribe,) and cheats at interest."

And his insolence is thus noticed:

> "See how he reigns in his new palace culminant,
> And sits in state divine like Jove the fulminant."

It would be endless to quote the vituperative passages upon the Chancellor in Marvell's works; but these short extracts are sufficient to show the opinion

entertained of Lord Clarendon by a singularly pure and incorrupt contemporary; and also to strengthen and confirm the argument with regard to his general reputation.

I shall now again return to Pepys, and quote from him a transaction, which marks in the character of Lord Clarendon a fondness for money, amounting to something very like rapacity, supported as it is by other and stronger evidence upon the same subject. Pepys's statement of it is as follows:

"February 22, 1664.—Whereas the late King did mortgage Clarendon[n] to somebody for £20,000, and this (King) had given it to the Duke of Albemarle,[o]

[n] Clarendon Park, near Salisbury.

[o] George Monck, descended from a gentleman's family in Devonshire, was born December 6, 1608. Having had the misfortune in a fray to kill a man,

and he sold it to my Lord Chancellor, whose title of Earldome is fetched from

he left his home early, and inlisted as a volunteer in 1625, under his kinsman Sir Richard Greenville or Granville, who was just setting out from Plymouth to serve under Lord Wimbledon, in an expedition against Spain. The following year he obtained a pair of colours in the expedition to the Isle of Rhee. From this time his course was various; he saw much service by land and sea, and on all sides, and rose to considerable eminence in his profession. Having served and betrayed alternately, the King—the Parliament—Cromwell—Richard Cromwell—the Parliament again—and Charles II.—he, finally, had the good fortune to be the instrument of restoring the latter to the throne of his ancestors, for which service he received the most ample rewards. He was, upon the Restoration, made Baron Monck of Potheridge, Beauchamp, and Tees, Earl of Torrington, Duke of Albemarle; a Knight of the Garter, a Privy Councillor, Master of the Horse, Gentleman of the Bedchamber, First Lord Commissioner of the Treasury, and was loaded with grants of money and estates, and with pensions. He was afterwards frequently employed as a naval commander, but generally did very ill. Subsequently he sunk deservedly low in general estimation, from his total want of

thence; the King hath this day sent his order to the Privy Seale for the payment

pacity; his corruption, and his general unfitness for the high situations in which he was placed. He died of dropsy, January 3, 1670. His wife was Ann Clarges, the daughter of a blacksmith in the Savoy. She was first married to Thomas Ratford, a farrier, and herself practised the trade of a barber, and is one of the persons alluded to in the song respecting "The five women barbers that dwelt in Drury Lane." She left her first husband, after living with him for seventeen years, and afterwards became acquainted with Monck. She proved with child by him, and he was compelled by her family to marry her in 1652. She appears to have been fully worthy of her origin. Pepys describes her as "a nasty wife"—"a plain homely dowdy"—"a very ill-looked woman"—and his anecdotes of her vulgarity almost pass belief. She was also exceedingly corrupt—and during her husband's power sold every place she could—and sometimes, it would appear, took money for places, and then did not keep faith with those she received it from. Burnet says, "Monck was ravenous, as well as his wife, who was a mean contemptible creature. They both asked and sold all that was within their reach, nothing being denied them for some time; till he became so useless, that little per-

of this £20,000 to my Lord Chancellor, to clear the mortgage."[p] That is to say, the Chancellor bought the estate of Cla-

sonal regard could be paid him." In Pepys is the following anecdote respecting her. Mr. Cooling tells him; "My Lord General (Monck) is grown a drunken sot, and drinks with nobody but Troutbecke, whom nobody else will keep company with." Of whom he told me this story; that once the Duke of Albemarle in his drink taking notice, as of a wonder, that Nan Hide should ever come to be Duchesse of York:—'Nay,' says Troutbecke, 'never wonder at that; for, if you will give me another bottle of wine, I will tell you as great, if not greater, a miracle.' And what was that, but 'that our dirty Besse (meaning his Duchesse) should come to be Duchesse of Albemarle.'" Pepys, in another place, calls the Duke "a dull heavy man." Upon the whole he would appear to have been a man of bravery, a good officer, and possessed of a certain low cunning which led him to take the path that seemed to promise best for his own advancement. He seems to have been entirely wanting in all great qualities. Under these circumstances we must allow, that he was one of the most fortunate personages mentioned in history.

[p] Pepys's Diary, vol. i.

rendon of the Duke of Albemarle, subject to a mortgage of twenty thousand pounds, and then made the King give him the money to pay it off. Surely, if this was not a rapacious proceeding, it is difficult to say what comes under that denomination.

This anecdote respecting Clarendon Park naturally leads us to another, connected with the same place, in the relation of which Pepys states very minutely what passed between the Chancellor and himself upon the subject; and in which the *cautious corruption* of the former is as evident as possible. It will be necessary to quote at considerable length from Pepys with regard to this transaction, in order to enable the reader properly to understand it.

"July 4th, 1664. — To my Lord's (Sandwich[9]). He did begin with a

[9] Edward Montagu, descended from a younger branch of the Montagus of Boughton, entered early into the career of arms, and served with distinction in the Parliamentary Armies, at the storming of Lincoln, the battle of Marston Moor, the battle of Naseby, and the storming of Bridgwater, on which occasions he commanded a regiment raised by himself in Cambridgeshire and the Isle of Ely. Subsequently he commanded a brigade at the storming of Bristol. In 1653 he became a Lord of Cromwell's Treasury, after which he took to the Naval Service, and was joined in the commission with the great Blake; subsequently to whose death he had the sole command of the fleet. In 1659, being then joint admiral with Monck, he entered into correspondence with Charles the Second, and was most instrumental in determining the fleet in favour of the Restoration. He brought Charles over in his own ship from Holland, May 25th, 1660, and two days afterwards was made a Knight of the Garter. In July of the same year he was created Baron Montagu of St. Neots, Viscount Hinchinbroke, and Earl of Sandwich. He was also sworn of the Privy Council; made Master of the Great Wardrobe; Admiral of the Narrow Seas; and Lieutenant-Admiral to the Duke of York,

most solemn profession of the same confidence in and love for me that he ever

Lord High Admiral of England. On the conclusion of the Portugal match, Lord Sandwich was sent to Lisbon, acted as proxy for Charles II. at the marriage, and afterwards brought the Infanta Catherine over to England. He subsequently commanded the British fleet upon different occasions with success during the two first Dutch wars. In 1667 he went Ambassador to Madrid. In 1672, on the breaking out of the third Dutch war, he served as Vice-Admiral under the Duke of York in the combined fleets of England and France, and was blown up in his ship in Solbay by a Dutch fire-ship on the 29th of May of that year; the confederate fleets having been surprised by the enemy, in consequence of their neglect of Lord Sandwich's advice. Burnet relates the circumstance of this battle, and the catastrophe of Lord Sandwich. "The sea-fight in Solbay, in which De Ruyter had the glory of surprising the English fleet, when they were thinking less of enemies, than of an extravagant preparation for the usual disorders of the twenty-ninth of May, which he prevented, engaging them on the twenty-eighth, in one of the most obstinate sea-fights that has happened in our age; in which the French took more care of themselves than became gallant men;

had, and then told me what a misfortune had fallen upon me and him: in

but it was believed they had orders to look on, and leave the English and Dutch to fight it out, while they preserved the force of France entire. De Ruyter disabled the ship in which the Duke was, whom some blamed for leaving his ship too soon. Then his personal courage began first to be called in question. The admiral of the blue Squadron was burnt by a fire-ship, after a long engagement with a Dutch ship much inferior to him in strength. In it the Earl of Sandwich perished, with a great many about him, who would not leave him, as he would not leave his ship, by a piece of obstinate courage, to which he was provoked by an indecent reflection the Duke made on an advice he had offered, of drawing nearer the shore, and avoiding an engagement, as if in that he took more care of himself than of the King's honour." Some ten days after the fight Lord Sandwich's body was discovered floating near Harwich, being known by the star upon his coat, and was taken up, embalmed, and [illegible] great honour. Bishop Parker calls Lord Sandwich "A gentleman adorned with all the virtues of Alcibiades, and untainted by any of his vices; of high birth, capable of any business, full of wisdom, a great commander at sea and land, and also learned and

me, by a displeasure which my Lord Chancellor did show to him last night against me, in the highest and most passionate manner that ever any man did speak, even of the not hearing of any thing to be said to him; but he told me that he did say all that could be said for a man as to my faithfulness and duty to his Lordship, and did me the greatest right imaginable. And what should the business be, but that I should be forward to have the trees in Clarendon-Park marked and cut down, which he, it seems, hath bought of my Lord Albe-

eloquent, affable, liberal and magnificent." And Dutch author, in his Life of De Ruyter, says "Such was the end of this Earl, who was Vice-Admiral of England, valiant, intelligent, prudent, civil, obliging in his words and deeds; who had performed great services to his king, not only in war, but also in affairs of state, and in his embassies."

marle; when, God knows, I am the most innocent man in the world in it, and did nothing of myself, nor know of his concernment therein, but barely my Lord Treasurer's warrant for the doing thereof. And said that I did most ungentlemanlike with him, and had justified the rogues in cutting down a tree of his; and that I had sent the veriest Fanatique that is in England to mark them, on purpose to nose him. All which I did assure my Lord, was most properly false, and nothing like it true; and told my Lord the whole passage. My Lord do seem most nearly affected with him; partly, I believe, for me, and partly for himself. So he invited me to wait presently upon my Lord (Clarendon), and clear myself in the most perfect manner I could, with all submission

and assurance that I am his creature both in this and in all other things; and that I do own that all I have is derived through my Lord Sandwich from his Lordship. So, full of horror, I went and found him busy in trials of law, in his great room; and it being sitting day, durst not stay, but went to my Lord, and told him so; whereupon he directed me to take him after dinner; and so away I home, leaving my Lord mightily concerned for me. So I to my Lord Chancellor's; and there coming out after dinner I accosted him, telling him that I was the unhappy Pepys that had fallen into his high displeasure, and come to desire him to give me leave to make myself better understood to his Lordship, assuring him of my duty and service. He answered me very pleas-

ingly, that he was confident upon the score of my Lord Sandwich's character of me, but that he had reason to think what he did, and desired me to call upon him some evening: I named to night, and he accepted of it. To my Lord Chancellor's, and there heard several trials, wherein I perceive my Lord is a most able and ready man. After all done, he himself called, "come, Mr. Pepys, you and I will take a turn in the garden." So he was led down stairs, having the goute, and there walked with me, I think above an hour, talking most friendly, and yet cunningly. I told him clearly how things were; how ignorant I was of his Lordship's concernment in it; how I did not do [illegible] one word singly; but what was done was the act of the whole Board. He told me by name

that he was more angry with Sir George Carteret[r] than with me, and also with the whole body of the Board. But thinking who it was of the Board that

[r] Sir George Carteret was an ancient loyalist, descended from a Norman family settled in Jersey and Guernsey. He supported strenuously the cause of Charles I. in those Islands, and was by that King created a baronet in 1645. When Charles II. in 1646, fled to Jersey, he and his companions were received and entertained by Sir George. Upon the execution of Charles I. Sir George Carteret immediately proclaimed Charles II. in Jersey. This, and his various intrigues in favour of the royal cause, so incensed Oliver Cromwell, that he sent a force against Elizabeth Castle, the fortress in Jersey, where Sir George was shut up. Sir George, after defending it for some time, was at last obliged to escape to the continent. On the Restoration he was made Vice Chamberlain to the King, Treasurer of the Navy, and a Privy Councillor. He died in 1679, aged seventy-nine. His son Sir Philip Carteret, who had married Lord Sandwich's daughter, was blown up in that nobleman's ship in Solbay. His great grandson was that eminent statesman, John Lord Carteret, afterwards Earl of Granville.

did know him least, he did place his fear upon me; but he finds that he is indebted to none of his friends there. I think I did thoroughly appease him, till he thanked me for my desire and pains to satisfy him: and upon my desiring to be directed who I should of his servants advise with about this business, he told me nobody, but would be glad to hear from me himself. He told me he would not direct me in any thing, that it might not be said the Lord Chancellor did labour to abuse the King; or (as I offered) direct the suspending the report of the purveyors: but I see what he means, and will make it my work to do him service in it. But, Lord! to see how he is incensed against your House, as a fanatick rogue, and I know not what: and what he did was done in

spite to his Lordship, among all his friends and tenants. He did plainly say, he would not direct me in any thing, for he would not put himself into the power of any man to say that he did so and so; but plainly told me as if he would be glad I did something. Lord! to see how we poor wretches dare not do the King good service for fear of the greatnêss of these men."[a]

"July 18th, 1664.—Sir George Carteret and I did talk together in the Parke about my Lord Chancellor's business of the timber; he telling me freely that my Lord Chancellor was never so angry with him in all his life, as he was for this business, and in a great passion: and that when he saw

[a] Pepys's Diary, vol. i.

me there he knew what it was about. And plots now with me how we may serve my Lord, which I am mightily glad of; and I hope together we may do it. Thence I to my Lord Chancellor, and discoursed his business with him. I perceive, and he says plainly, that he will not have any man to have it in his power to say that my Lord Chancellor did contrive the wronging the King of his timber; but yet, I perceive, he would be glad to have service done him therein; and told me, Sir George Carteret hath told him, that he and I would look after his business to see it done in the best manner for him."[t]

"July 20th, 1664.—With Mr. Deane,[u]

[t] Pepys's Diary, vol. i.

[u] Deane Anthony was, according to Pepys, an ingenious mechanician. He [illegible] by

discoursing upon the business of my Lord Chancellor's timber, in Clarendon Park, and how to make a report therein without offending him; which at last I drew up, and hope it will please him. But I would to God neither I nor he ever had any thing to have done with it."[x]

The plain English of this transaction is this. The timber in Clarendon Park belonged to the King, and Pepys, Sir George Carteret, and the other Commissioners of the Admiralty, wished in consequence to have it cut down for the use of the navy. But the Chancellor, who had bought the land, wished to have

Charles II.—held the office of Commissioner of the Navy—and was Member of Parliament for Harwich.

[x] Pepys's Diary, vol. i.

the trees also; though without the trouble and expense of buying them.[y]

It should be observed, that this was his grateful return to the King for the magnificent present he had made him, only four months before, of twenty thousand pounds, to clear off a mortgage *on this very estate.* And not only did the Chancellor wish to deprive the King of his trees, but he wished to do it without any personal risk to himself, by bullying and threatening the unhappy Commissioners of the Admiralty; to oblige

[y] It is evidently to transactions of this kind that Andrew Marvell alludes, in his poem entitled "Clarendon's House-warming."

"His woods would come in at the easier rate,
So long as the yards had a deal at a
His friend in the navy would not be ingrate,
To grudge him some timber who found him the war."

them to make a report in his favour. It is well observed by Pepys (and gives, by the way, a good measure of the state of those times, as well as of the arrogance and power of the Chancellor,) "Lord! to see how we poor wretches dare not do the King good service for fear of the greatness of these men!"

This relation altogether is a most curious one, because it is told by the very man himself, who was brought into communication with the Chancellor, expressly for the purpose of serving his rapacious purposes; and because the simplicity and clearness of the narration must carry conviction of its truth to the mind of every one. To be sure a less creditable transaction to the fame and character of Clarendon can hardly be conceived; whether we regard the cor-

ruption, which is its foundation; the ingratitude to the King, which forms its superstructure; or the baseness, which crowns the whole, of obliging, by threats and intimidation, the Admiralty Commissioners to abandon their duty, for the purpose of furthering his unlawful ends; and of thus shielding his own person and character from any future disgrace that might arise, in consequence of their being gratified.

Before concluding our inquiries into this part of the character of Lord Chancellor Clarendon, it will be necessary to say a few words respecting the sale of Dunkirk to the French, which took place during his administration, in the year 1663. Not only, indeed, did this event happen while Clarendon was in office, but, as Rapin observes, "it is a

fact as certain as a fact of this nature can be, that he proposed it, negociated the sale, and concluded it."[z] In proof of this, it is only necessary to refer to the letters of Estrades,[a] the French Plenipotentiary, upon the subject; in which he distinctly states, that the Chancellor told him the idea of the sale of Dunkirk came from himself.—"The Chancellor added," says he, in a letter to Lewis XIV., "that the thought of this treaty came from him, and did not conceal,

[z] Rapin's History, vol. ii. p. 630.

[a] Godfrey Count d'Estrades was born in 1607, and died in 1686. He was employed by Lewis XIII. and XIV. in various embassies and negociations, in which he conducted himself with considerable ability and dexterity. He was made Governor of Dunkirk 1650—Perpetual Mayor of Bordeaux 1653—Lieutenant General of the Province of Guienne 1665—Knight of the Holy Ghost 1671—Marshal of France 1675—Governor of the Duke de Chartres (afterwards the Regent Duke of Orleans) 1685.

that the necessity of the English affairs had inspired him with it. That the King, the Duke of York, and himself, were alone of this opinion, and that Monk, the Lord Treasurer, and the Earl of Sandwich, were still to be managed, who he could not hope to gain, but by the great sums which would accrue to the King:[b] That having already proposed it to them from the urgent occasions of the state, they had offered an expedient to preserve the place for the King, and to ease him of this expense."[c]

[b] What a scene of corruption in the English government does this open to us, if true—and if not, how disgraceful to the Chancellor thus to calumniate his colleagues. Was the "Virtuous Southampton" (the Lord Treasurer), as here alleged, susceptible of bribery? or did the Chancellor judge of others by himself, and intend to appropriate the shares of his less venal brethren?

[c] Lettres, Memoires, et Negociations de Comte d'Estrades, vol. i.—Letter of August 11th, 1663.

It should be observed, that at the very moment this disgraceful bargain was going on, and as if to take away every honest excuse for its being completed, the Parliament were ready to take Dunkirk off the King's hands, and to defray all the expenses incidental to its preservation, at the same time leaving to him the rights and privileges he already possessed over it. This is the expedient alluded to in the previous extract, and which is so explained in the continuation of the same despatch.

Again in another letter Estrades says, that, the Chancellor told him, "as he was not the master, and was highly concerned to take care of himself in so nice an affair, he was obliged to conceal his sentiments, and pretend to adhere to those of others, that he might not be

taken for the principal author of the treaty."[d] These passages are so conclusive to the point of the Chancellor's having been the *inventor*, if it may be so termed, of the sale of Dunkirk, that it is surprizing the fact should ever have been doubted by historians. It should be observed though, that those who do doubt it, generally take their opinions from Echard[e] and Burnet, who both wrote their historical works previously to the publication of these letters of the French Diplomatist.

[d] Lettres, &c. d'Estrades, vol. [illegible] Letter of Aug. 21st, 1662.

[e] Laurence Echard, a [illegible] compiler of history, without much talent, was [illegible] of the church of England. He was born about 1671, and died 1730. His principal works were a Roman History, an Ecclesiastical History from the Birth of Christ, a History of England, and a History of the Revolution in 168[illegible]

It has been the fashion to disbelieve the accusation brought against the Chancellor, of his having been induced by corrupt motives to suggest and urge on the delivering up of this place; and perhaps, had this transaction stood alone, I might also have been inclined to adopt the same opinion. But after all that has been brought forward in the previous pages respecting the corruption of Clarendon, I own it appears to me, that we are justified in coming to an entirely opposite conclusion.

Dunkirk had been acquired to Great Britain by Cromwell, as the price of his entering into a treaty with France against Spain, from whom it had lately been wrested by the united arms of the two former powers.

Whether it would really have been of

great advantage to England, had it been preserved, may be doubted; as though, from its situation, it might have afforded a shelter for our privateers, instead of those of the enemy; a retreat for our fleets, if beaten; or a safe landing place for our armies; all these advantages would apparently have been fully balanced by the very large expense attending its preservation.[1] These, however, are the views which a more enlightened system of policy has taught the world. In the days of Clarendon they were very much unknown. It was then thought that establishments on the Continent of Europe were of the greatest importance to England, and were to be preserved as the most valuable appendages of the

[1] Macdiarmid's Lives of British Statesmen, vol. ii. 2d edition.

British crown. Hence the despair of Mary at the loss of Calais: hence the anxiety of Cromwell to obtain Dunkirk as an equivalent for that loss: and hence the universal cry of reprobation through the country when the latter place was lost to us for ever.

It is not to be supposed that Clarendon, though a man undoubtedly of great abilities, was so much before his contemporaries, and especially before the able and experienced Cromwell, in the science of politics, as to see through the specious reasons for the preservation of Dunkirk. Why, then, did he consent to its abandonment to please a profligate and dissolute court; who, evidently from the first, only thought of the sale in the hope of squandering the money received from it on their unworthy pleasures?—

Nay, why was he the principal adviser and promoter of the scheme? Why does he even write to Estrades, "I shall hold myself the most unfortunate man, if this affair be not crowned with success"?[s] Why does he urge on the bargain, at the same time that, fully aware of the opinion of the country on the subject, he writes thus to the same negociator? "They who know any thing of the present temper of this kingdom must believe, that, as the delivery of that place would never be consented to by the parliament, or in truth by the privy council, if it should be referred to their judgment, so the delivering it up by the King's immediate authority will be as ungracious and unpopular an act

[s] Clarendon State Papers, vol. iii. — Letter of August 28th, 1662.

to the whole nation as can be put in practice."[h] The only satisfactory or intelligible explanation, which can be given to his conduct under these circumstances is, that a portion of the money which the sale produced was to fall by agreement to his share. Without this, the sale of Dunkirk by him is an enigma which wants a key; and this key it is surely neither unnatural nor uncharitable to apply to it, after all the previous evidence to similar transactions we have just been reading.

When upon the subject of the sale of Dunkirk, it may not be amiss to notice the odium incurred by the Chancellor in consequence of his erection of a palace in Piccadilly, the size and cost of which

[h] Clarendon State Papers, vol. iii.—Letter of August 9th, 1662.

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were entirely unsuited to his private fortune. This magnificent structure, which was begun some time after the sale of Dunkirk, occupied, together with its gardens, the site of Dover Street and Albemarle Street; and the centre of its front exactly answered to the top of St. James's Street, which it commanded. The grant of the ground Clarendon had obtained from the King. After the Chancellor's disgrace it was sold to the Dukes of Albemarle. Christopher Monck,[1] second Duke of that name, sold

[1] Christopher Monck, second Duke of Albemarle, was the only son of George the first duke. He was born in 1653—succeeded his father in 1670—was made a Knight of the Garter and a Privy Councillor in 1671. Having by his own extravagance entirely ruined his fortune, he became connected, in the hope of retrieving it, with some buccaneers, who had formed a plan for weighing up a vas[illegible]

it again to a builder, who pulled it down, and erected the before-mentioned streets

had been sunk in some Spanish galleons near the Island of Jamaica. In order to facilitate their object, they persuaded him to ask for the government of that Island; to which he was appointed in 1687, and died there the same year. His wife, however, (who was Elizabeth Cavendish, eldest daughter and co-heiress of Henry Cavendish, second and last Duke of Newcastle of that name,) got possession of the money, which had been obtained from the wrecks, and sailed to England with it, having, as it is alleged, cheated the buccaneers of their share. Shortly after this she became insane, and declared her intention of never marrying again, unless she was wooed by the Grand Turk. Ralph Montagu, first Duke of Montagu, (one of the corrupt political intriguers of the school of Charles II.,) paid his addresses to her in that character, and actually married her in the disguise of a Turkish dress. He then shut her up in Newcastle House, Clerkenwell; and with her money built Montagu House, now the British Museum. This Elizabeth Duchess of Albemarle and Montagu lived, always insane, till the 28th of August, 1734, when she died, in the ninety-sixth year of her age.

on its site. The building cost £50,000, an enormous sum in those days.[k]

If we wish to have an idea of its magnificence, we must refer to Evelyn, an excellent judge of such matters, who thus speaks of it.

"I acknowledge to your lordship that I have never seen a nobler pile. It is, without hyperbolies, the best contrived, the most useful, graceful, and magnificent house in England—I except not Audley End; which, though larger, and full of gaudy and barbarous ornament, does not gratify judicious spectators. As I said, my lord, here is state and use, solidity and beauty, most symetri-

[k] Smith's Antiquities of London.—Londina Illustrata.—Burnet's History of his Own Times, Oxford Edition, vol. i.—Evelyn.—Pennant.—Macdiarmid's Lives of British Statesmen, vol. i.

cally combined together! Seriously, there is nothing abroad pleases me better; nothing at home approaches it.[1]

Marvell, in the poem before adverted to, "Clarendon's House-warming," charges the Chancellor with having received money and presents from various quarters to enable him to complete his mansion.

"He lik'd the advice, and then soon it assay'd,
And presents crowd headlong to give good example,
So the bribes overlaid her that Rome once betray'd;
The tribes ne'er contributed so to the Temple.

Straight judges, priests, bishops, true sons of the seal,
Sinners, governors, farmers, bankers, patentees,

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[1] Evelyn's Memoirs, vol. ii. — Letter to Lord Cornbury.

Bring in the whole mite of a year at a meal,
As the Chedder Club's dairy to th' incorporate cheese.

* * * * *

By subsidies thus, both cleric and laic,
And with matter profane cemented with holy;
He finish'd at last his palace Mosaic,
By a model more excellent than Lesly's folly."

The same author also has left us the following Epigram on Clarendon House.

"Here lie the sacred bones
Of Paul beguiled of his stones:[m]
Here lie golden bribries,
The price of ruin'd families;
The Cavalier's debenter wall,
Fix'd on an eccentric basis:
Here's Dunkirk Town and Tangier Hall,
The Queen's marriage and all
The Dutchman's templum pacis."

The Chancellor called it Clarendon House; but the malicious public affixed

[m] It was built with the stones which had been collected for the rebuilding of St. Paul's Church.

the name of *Dunkirk House* to it, as if it had been built with the money proceeding from the sale of that place.[n] Others also called it *Holland House*, upon the supposition that the Chancellor had received bribes from the Dutch. Whether Clarendon House was erected with French or Dutch money, or with both, it is impossible for us at this distance of time, with the slender evidence upon the subject we possess, to decide. After, however, all that has been previously brought forward with respect to the corruption of the Chancellor upon the subject of Dunkirk, the question of whether he erected his house with the money so received, is not of much importance in any way to either his fame

[n] Macdiarmid.—Hume.—Neal's History of the Puritans.—Burnet's History of his Own Times.

of his character. If he received money from the sale of Dunkirk, (and we have seen very sufficient grounds to believe that such was the case,) it is equally probable he did from the Dutch; and that he employed these means in erecting a mansion, which his own finances would not otherwise have allowed him to undertake, is also equally probable. But our belief in this must rest very mainly upon evidence as to his general character; as the Chancellor himself must necessarily have been the only person who could exactly know from what source the funds were drawn, with which he built his house.

We now come to the consideration of the second part of the charge to be established against Clarendon; namely, that he was a cruel and tyrannical

minister. If the arguments and authorities I have brought forward with regard to his inclination to rapacity and corruption have been deemed at all conclusive, I shall have little doubt of establishing the facts of his cruelty and tyranny. For the latter qualities are so much more generally acknowledged, as forming part of his character, than the former ones, that even the panegyrists of the Chancellor confess them, in some measure at least, at the same time that they deplore them. Rapacious and corrupt proceedings are naturally more concealed and secret faults; but cruelty and tyranny, where they exist in the breast of a man in power, cannot long lie hid from the eyes of the world. The arbitrary nature of Lord Clarendon's principles has been already exemplified in his conversation

with the Earls of Glencairn and Rothes, on the subject of the impeachment of Lauderdale; and in his general aversion to parliaments: but these were only words, his acts and deeds are what best show him in his true light, with regard to the two points of character at present under consideration.

It is well known that, previous to the Restoration, the Chancellor was the sole minister of Charles, who, from his naturally indolent disposition, abandoned himself implicitly to his guidance. He was in consequence the adviser as well as the framer of the celebrated Declaration from Breda,* by which the King bound himself to afford to the people of England Liberty of Conscience in matters of religion. Nothing can be well

* Dated April 4-14th, 1660.

stronger than the expressions of this Declaration. It states that, "because the passion and uncharitableness of the times have produced several opinions in religion, by which men are engaged in parties and animosities against each other; which, when they shall hereafter unite in a freedom of conversation, will be composed, or better understood; we do declare a liberty to tender consciences; and that no man shall be disquieted, or called in question, for differences of opinion in matters of religion which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of parliament, as upon mature deliberation, shall be offered to us, for the full granting that indulgence."[p]

[p] Clarendon's History of the Rebellion, Oxford Edit. vol. vii.

At this time, namely, before the Restoration, it was very convenient, indeed absolutely necessary, for the views of the Chancellor that the promise of toleration given "upon the word of a King"[q] should be thus explicit; as England was at that time still under the rule of the Presbyterians. But no sooner was it discovered, upon the arrival of Charles in this country, that the nation was so mad with present pleasure, and so reckless of future consequences, that any thing might be done with them, than the Chancellor changed his tone. The same hand that had framed the declaration of toleration, began to employ itself in framing acts of the most penal nature. Having persuaded the King solemnly to promise liberty of conscience at Breda, Clarendon had now t[illegible]

[q] See Decl[illegible]

can call it by no other name) to persuade him to break that promise, and to commence a persecution, which for cruel and unrelenting severity has been rarely equalled in history. Undoubtedly Charles's submitting thus to be guided to do evil was most disgraceful to himself; but the active part of the crime entirely remains with the Chancellor; for it is certain that Charles, who was himself a Papist, was, generally, friendly to toleration, for the sake of his own sect. Neal,[r] in his History of the Puritans,

[r] The Rev. Daniel Neal, the historian of the Protestant Dissenters, was born in London, December 14th, 1678, and was educated at Merchant Taylor's School. He wrote several pamphlets and sermons, but his principal work is his History of the Puritans; which is written with considerable ability, and, considering the circumstances of the author, with surprising impartiality. Neal died April 4th, 1748, much regretted "by his family and friends, by whom

distinctly says, "the King seemed to be for concessions to the Presbyterians; but the Court Bishops, with Lord Clarendon at their head, were absolutely against it. Clarendon was a man of high and arbitrary principles, and gave himself up to the Bishops, for the service they had done him in reconciling the King to his daughter's clandestine marriage with the Duke of York."[a] The rest of the ministry, at the head of whom

he was highly esteemed as a man of great probity, piety, and usefulness. Dr. Toulmin, in his account of his Life, says of his religious tenets, that "His doctrinal sentiments were supposed to come nearest to those of Calvin; which he looked upon as most agreeable to the Sacred Scriptures, and most adapted to the great ends of religion. But neither were his charity nor his friendships confined to men of his own opinion. The Bible alone was his standard for religious truth; and he was willing and desirous that all others should be at perfect liberty to take and follow it as their own rule."

[a] Neal's History of the Puritans, vol. iv.

was the respectable Earl of Southampton, were of the King's opinion.[t] They pressed Clarendon to consent to an Act of Toleration; and wished, by concessions on both sides, to endeavour to reconcile the Presbyterians, and the High Church Party. But the Chancellor had now thrown off the mask, and was determined to make the sectaries, whom he naturally [u]detested, feel his power.

[t] Macdiarmid's Lives of British Statesmen.

[u] In proof of the rancorous hatred borne by Clarendon to the Presbyterians, it is only necessary to refer to various passages in his History and in his Life. Such, among others, as the following sweeping expressions:—"It is impossible for men who would not be deceived, to depend upon either their ingenuity or their integrity."

"Their faction is their religion: nor are those combinations ever entered into upon zeal and substantial motives of conscience, how erroneous soever; but consist of many glutinous materials of will, and humour, and folly, and knavery, and ambition, and malice."

An excuse was soon offered to him, for commencing his severities against them, in the frantic insurrection of a handful of fanatics, who called themselves *fifth monarchy men*. Hume thus relates the circumstance:

"Venner, a desperate enthusiast, who had often conspired against Cromwell, having, by his zealous lectures, inflamed his own imagination and that of his followers, issued forth with them into the streets of London. They were, to the number of sixty, completely armed, believed themselves invulnerable and invincible, and firmly expected the same fortune which had attended Gideon and

"They carry always a chagrin about them, which makes them good for nothing."

"Nothing but a severe execution of the law can ever prevail upon that class of men to conform to government."—*Continuation of Life of Edward Earl of Clarendon.*

other heroes of the Old Testament. Every one at first fled before them. One unhappy man, who, being questioned, had said, 'he was for God and King Charles,' they instantly murdered. They went triumphantly from street to street, every where proclaiming King Jesus, who, they said, was their invisible leader. At length, the magistrates, having assembled some train-bands, made an attack upon them. They defended themselves with great order as well as valour; and after killing many of the assailants, they made a regular retreat into Cane Wood, near Hampstead. Next morning, they were chased thence by a detachment of the Guards; but they ventured again to invade the city, which was not prepared to receive them. After committing great disorder, and traversing almost every

street of that immense capital, they shut up themselves in a house, which to the last extremity they were resolute to defend. Being surrounded, and the house untiled, they were fired upon from every side; and they still refused quarter. The people rushed in upon them, and seized the few who were alive. They were tried, condemned, and executed; and to the last they persisted in affirming, that, if they were deceived, it was the Lord that had deceived them."[v]

"Clarendon," continues Hume, "and the ministry, took occasion from this insurrection to infer the dangerous spirit of the Presbyterians and of all the sectaries: but the madness of the attempt sufficiently proved, that it had been undertaken by no concert, and never could

[v] Hume's History of England, vol. vi.

have proved dangerous. The well-known hatred too, which prevailed betwixt the Presbyterians and the other sects, should have removed the former from all suspicion of any concurrence in the enterprize. But, as a pretext was wanted, besides their old demerits, for justifying the intended rigours against them, this reason, however slight, was very greedily laid hold of." [x]

Having advanced thus far in the course of premeditated persecution, the Chancellor proceeded rapidly to the consummation of his wishes; and commenced the modelling of his penal code. The Presbyterians[y] meanwhile, many of whom foresaw the storm which was about to burst over their heads, were attempted

[x] Hume, vol. vi.

[y] Neal.—Kennet's Chronicle.—Baxter's Life.

to be lulled into security by the Conference of the Savoy, which took place according to the King's Declaration of October 25th, 1660, between twenty-one of the most eminent Presbyterian divines, and an equal number of those of the Established Church. This conference met nominally to discuss questions regarding the Liturgy of the Church of England, and other disputed points between the two Churches; but nothing of this kind was ever really meant by Clarendon[1] to arise from it. He only intended to make use of it, for the purpose of blinding the eyes of the Presbyterians, with regard to the ulterior intentions of government; and at the same time to give to the public an appear-

[1] Neal.

ance, as if the ministry had done all in their power to conciliate the sectaries.

Shortly after the insurrection of Venner, the Chancellor,[a] in a conference between the two Houses, affirmed positively, that there was a real conspiracy against the peace of the kingdom; and that though it was disconcerted in the city, it was carried on in divers counties. A committee was, therefore, appointed to inquire into the truth of the report; but after all their examinations not one single person was convicted, or so much as prosecuted for it.[b] "Great pains were taken to fasten some treasonable designs on the Presbyterians. Letters were sent from unknown hands to the chiefs of the party in various parts of the kingdom,

[a] Neal's History of the Puritans, vol. iv.

[b] Kennet's Chron.—Rapin.

intimating the project of a general insurrection, in which their friends were concerned, and desiring them to communicate it to certain persons in their neighbourhood, whom they name in their letters, that they may be ready at time and place. A letter of this kind was directed to the Reverend Mr. Sparry, in Worcestershire, desiring him and Captain Yarrington to be ready with money; and to acquaint Mr. Oatland and Mr. Baxter[c] with the design. This,

[c] Baxter Richard, the celebrated Non-conformist divine; a man who was much admired and much persecuted in his lifetime, and has been much praised and much abused since his death. Bishop Burnet seems in a few words to have exactly hit off his character. "He was a man of great piety; and if he had not meddled in too many things, would have been esteemed one of the learned men of the age: he had a very moving and pathetical way of writing, and was his whole life long a man of great zeal and much

with a packet of the same kind, was said to be left under a hedge by a Scotch pedlar; and as soon as they were found, they were carried to Sir J. Packington, who immediately committed Sparry, Oatland, and Yarrington, to prison. The militia of the county was raised, and the city of Worcester put into a posture of defence; but the sham was so notorious, that the Earl of Bristol,[d] though a Papist,[e] was ashamed

simplicity; but was most unhappily subtle and metaphysical in every thing." He wrote one hundred and forty-five distinct treatises. When Boswell asked Dr. Johnson which of Baxter's works he should read, the latter answered, "read any of them; they are all good." The same author called Baxter's reformed Liturgy, which he drew up for the Savoy conference, "one of the finest composition of the ritual kind he had ever seen." Baxter was born November 12th, 1615, and died December 8th, 1691.

[d] George Digby, second Earl of Bristol, was the

of it; and after some time, the prisoners, for want of evidence, were released." [f]

eldest son of Earl John, the opponent of Villiers, first Duke of Buckingham. He was born in October, 1612, and died March, 20th, 1676, having passed a conspicuous, restless, and eccentric existence. He attempted to reconvert his cousin, Sir Kenelm Digby, to Protestantism, who had become a Roman Catholic: the issue of which controversy was, that Lord Bristol adopted the religion of Sir Kenelm. His character is thus sketched by Clarendon. "The Lord Digby was a man of very extraordinary parts by nature and art; a graceful and beautiful person; of great eloquence and becomingness in his discourse, (save that sometimes he seemed a little affected,) and of so universal a knowledge, that he never wanted subject for a discourse: he was equal to a very good part in the greatest affairs, but the unfittest man alive to conduct them, having an ambition and vanity superior to all his other parts, and a confidence peculiar to himself, which sometimes intoxicated, and transported, and exposed him." Burnet says of him, "The Earl of Bristol was a man of courage and learning, of a bold temper, and a lively wit, but of no judgment nor steadiness. When he went beyond sea, he turned Papist, but it was after a way of his own: for he loved to magnify

Upon these proceedings Burnet also remarks, that, though "many were taken up upon these reports, none were

the difference between the Church and the Court of Rome. He was esteemed a very good speaker: but he was too copious, and too florid. He was at the head of the Popish party, and was a violent enemy of the Earl of Clarendon." Finally, Walpole describes him to have been "a singular person, whose life was one contradiction. He wrote against Popery, and embraced it; he was a zealous opposer of the Court, and a sacrifice for it; was conscientiously converted in the midst of his prosecution of Lord Strafford, and was most unconscientiously a prosecutor of Lord Clarendon. With great parts, he always hurt himself and his friends; with romantic bravery, he was always an unsuccessful commander. He spoke for the Test Act, though a Roman Catholic, and addicted himself to astrology on the birthday of true philosophy."

[e] The Papists were peculiarly inimical to the Presbyterians—first, on account of old grudges; and, secondly, in the hope of turning away the attention and persecuting propensities of the nation from themselves.

[f] Neal's History of the Puritans, vol. iv.

ever tried for them." He then adds, that it was supposed these stories of plots "were forged by the direction of some hot spirits, who might think such arts were necessary to give an alarm, and by rendering the party odious, to carry so severe an act against them." The act was the Act of Uniformity. He says Lord Clarendon was charged with having contrived these artifices; but he was inclined to think they proceeded from "some foul dealing among the fiercer sort."[8] Locke observes, that "the reports of a general insurrection were spread over the whole nation by the very persons who invented them;" while Rapin distinctly declares it to be his opinion, that Lord Clarendon was

[8] Burnet's History of his Own Times, Oxford Edition, vol. i.

the author of these rumours of plots; which, he adds, "were absolutely necessary to the High Church party to serve for a foundation to what was intended to be done."[h] He continues, that none, "who are not prejudiced by passion or party, can help thinking this conspiracy" (the one examined into by a Committee of both Houses) "a mere invention to give some colour to the Act of Uniformity. The government durst not attack the Presbyterians on account of their religion. The Declaration from Breda was too express on that article. But they were to be charged with new crimes, in order to be deprived of the benefit of that declaration. *They* were not even accused of

[h] Rapin, vol. ii.

attempting to disturb the state, since the King's restoration; but the Non-conformists in general were accused, in order to punish the Presbyterians, as if they made but one body with the Independents, Anabaptists, and Enthusiasts, because to all these sects were given the common name of Non-conformists."[1] Whereas, as we have already seen, by the testimony of Hume, the separation and estrangement, which existed between these different religionists, were wide and irreconcileable.

The first fruit of the Chancellor's sham conspiracies was the Corporation Act, passed in 1661. It was drawn up by him, and ordains, that in all cities, corporations, boroughs, cinque ports,

[1] Rapin, vol. ii.

and other port towns in England and Wales, every mayor, alderman, common councilman, or any other officer in a corporation, shall be obliged, besides the common oath of Allegiance and Supremacy, and a particular declaration against the Solemn League and Covenant, to take an oath, declaring, *That it is not lawful, upon any pretence whatsoever, to take arms against the King; and that he does abhor that traitorous position of taking arms by his authority against his person, or against those commissioned by him.*[k] It was also enacted by the same act, that no person should hereafter be elected or chosen into any of the offices or places aforesaid, that should not have, within one year next

[k] Rapin.

before such election or choice, taken the Sacrament of the Lord's Supper, according to the rites of the Church of England. Thus, at one blow, were the Non-conformists ejected from all branches of the magistracy, and in fact robbed of their rights as subjects."[m] Echard confesses that this oath seems at once to give up the whole constitution, which is also remarked by Rapin. Another author says, "one would suppose that the Parliament, who prescribed such an oath, must have been as near-sighted and as stupid as they were servile and corrupt. Such a maxim of non-resistance to the King, on any pretence, was directly subversive of their own consequence, as well as of civil and religious liberty. The extent

[m] Neal. [m] Ib.

to which this principle might be carried was put to the proof by James II. but the people of England rent asunder the chains which had been forged for them by their perfidious representatives.[n]

On the subject of this act it is only necessary at present further to observe, that the injustice of Clarendon in procuring its enactment was not more conspicuous than the innate tyranny of his nature, which dictated the oath of non-resistance, or the cruelty with which that and the other clauses were enforced.[o]

The next step taken by the Chancellor in his course of persecution, and which in fact put the finishing stroke to

[n] Secret History of the Court and Reign of Charles II. vol. i.

[o] Rapin.—Neal.

the whole work, was the enactment of the Act of Uniformity, also drawn up, proposed, and carried through by Clarendon. This took place in the month of May, 1662, and by it every minister was obliged, on pain of losing all his ecclesiastical preferments, to conform to the worship of the Church of England, according to the new Book of Common Prayer, before the Feast of St. Bartholomew[p] next, from whence it was called the *Bartholomew Act*.[q] Every minister was also obliged to sign a declaration, affirming his assent and consent to every thing contained in and prescribed by the Book of Common Prayer.[r] Any minister also who had not received his

[p] The 24th of August.

[q] Rapin, vol. ii.

[r] Ib.

ordination at the hands of a bishop; was compelled to be episcopally re-ordained. Every one was commanded to take the oath of canonical obedience—to abjure the solemn League and Covenant—and to deny the lawfulness of taking arms against the King, or any commissioned by him, on any pretence whatsoever.[1]

It was, of course, obvious from the first, that the Presbyterians neither could nor would submit to these provisions. Thus, therefore, was the solemn promise given by the King in his Declaration from Breda, that "no man should be disquieted or called in question for differences of opinion in matters of religion," entirely broken and rendered of none effect: and thus, at the

[1] Neal's History of the Puritans, vol. iv.

same time, did Clarendon requite a numerous, pious, and loyal body of men, for the eminent services they had rendered in restoring the King to the throne of his ancestors.

Neal, in his History of the Puritans, remarks upon this act, "that the terms of conformity were by it raised higher than before the civil wars; and the Common Prayer Book more exceptionable; for instead of striking out the Apocryphal lessons, more were inserted, as the story of Bel and the Dragon: and some new holidays were added, as St. Barnabas, and the Conversion of St. Paul; a few alterations and new collects were made by the bishops themselves, but care was taken, says Burnet, that nothing should be altered as was moved by the Presbyterians. The vali-

dity of Presbyterian ordination was renounced, by which the ministrations of the foreign churches were disowned. Lecturers and schoolmasters were put upon the same foot with incumbents as to oaths and subscriptions. A new declaration was invented, which none who understood the Constitution of England could safely subscribe—and to terrify the clergy into a compliance, no settled provision was made for those who should be deprived of their livings, but all were referred to the royal clemency. A severity, says Bishop Burnet, neither practised by Queen Elizabeth in enacting the Liturgy, nor by Cromwell in ejecting the royalists; in both which a fifth of the benefice was reserved for their subsistence."[t]

[t] Neal's History of the Puritans, vol. iv.

At length arrived the fatal St. Bartholomew; only three months having been allowed to prepare the Presbyterians for the change that was expected from them. Upon this occasion about two thousand ministers resigned their benefices, and preferred poverty and wordly ruin with a pure conscience, to affluence and dignity accompanied with remorse. The provisions of the act were executed with the utmost rigour and severity; and it seems as if Sheldon[n] Archbishop of Can-

[n] Gilbert Sheldon, Archbishop of Canterbury, was born July 19th, 1598. His father was, according to Wood, "a menial servant" to Gilbert Earl of Shrewsbury. He was called Gilbert after that nobleman, who was his godfather. At the beginning of his clerical career he became domestic Chaplain to Lord Keeper Coventry. In 1660 he was made Bishop of London, and in 1663 Archbishop of Canterbury. He died November 9th, 1677. Sheldon appears to have been a man of talents and of generosity, though too ostentatious in his gifts and charities; but more

terbury, who was a creature of Clarendon's, was even disappointed that the ejectments of ministers had not been still more numerous. On its being observed to him by Dr. Allen, "It is a pity the door is so strait," he answered "*It is no*

of a politician than a churchman, and in his conduct to other sects a cruel and most intolerant High Priest. Burnet thus describes him; "Sheldon was esteemed a learned man before the wars: but he was afterwards engaged so deep in politicks, that scarce any prints of what he had been remained. He was a very dexterous man in business, had a great quickness of apprehension, and a very true judgment. He was a generous and charitable man. He had a great pleasantness of conversation, perhaps too great. He had an art, that was peculiar to him, of treating all that came to him in a most obliging manner: but few depended much on his professions of friendship. He seemed not to have a deep sense of religion, if any at all: and spoke of it most commonly as of an engine of government, and a matter of policy. By this means the King (Charles II.) came to look upon him as a wise and honest clergyman, though he had little virtue, and less religion."

pity at all, if we had thought so many of them would have conformed, we would have made it straiter."[x] A sentiment certainly worthy of the supporter of such a measure!

But though the barbarity of the High Church Divines sanctioned Clarendon in his intolerant and oppressive measures, the feeling of the nation was against him. The ministers dispossessed were, according to Locke, "worthy, learned, pious, orthodox divines," distinguished by their zeal and abilities, and consequently much regretted by the people: and the more so, because those who were put in to supply their places, were frequently the very reverse of their predecessors.[y] Even the colleagues of Clarendon in the ministry were against

[x] Neal. [y] Burnet.

his proceedings; especially Lord Southampton, who, though his strenuous friend, openly dissented from him on this occasion; and declared that if such an oath as that exacted from the Clergy were to be imposed upon the laity, he for one would refuse to take it.[1]

Though the passing of these two laws, the Corporation Act and the Act of Uniformity, had crushed the power of the Presbyterians, and reduced great numbers of their clergy to destitution and misery, the Chancellor was by no means contented, because the laity among the sectaries had thus far escaped persecution. To remedy this omission, he, in 1664, incited the House of Commons to pass an Act, which has been

[1] Macdiarmid's Lives of British Statesmen, vol. ii.

since knwn by the name of *The Conventicle Act.*

By this Act,* any person above the age of sixteen, being present at any Meeting or Conventicle, under colour or pretence of any exercise of religion in other manner than according to the Liturgy or practice of the Church of England, where should be present five or more persons than the household, was made liable, for the first offence to a fine of £5, or three months' imprisonment. If the offender was a peer, the penalty was £10. The second offence was visited with a fine of £10, or six months' imprisonment; and £20 for a peer:—and the third, with transportation to the Plantations, after a trial by jury, or of a peer

* Rapin.—Neal.

by his peers, unless a fine of £100 was paid. In case the culprits returned from transportation, they were to be adjudged felons, and to suffer death without benefit of clergy. Sheriffs or Justices of the Peace, or others commissioned by them, were empowered to dissolve, dissipate, and break up all unlawful conventicles, and to take into custody those among the congregation whom they thought fit. Those persons who suffered conventicles to be held in their houses or barns were liable to the same forfeitures as other offenders. Married women taken at conventicles were to be imprisoned for twelve months, unless their husbands paid forty shillings for their redemption. Such were the principal provisions of this most infamous law, which was contrived by Clarendon,

and carried into execution by him, with the aid of a bigoted and violent House of Commons, against the wishes of his colleagues in office, and of the King himself. The melancholy consequences of the Conventicle Act to the Presbyterians, and the cruel treatment they experienced under the provisions of it, are thus described by Neal.

"This Act was a terrible scourge over the laity, put into the hands of a single justice of the peace, without the verdict of a jury, the oath of the informer being sufficient. By virtue of it the jails in the several counties were quickly filled with Dissenting Protestants, while the Papists were covered under the wing of the prerogative. Some of the Ministers, who went to church in sermon time, were disturbed for preaching to a few of

their parishioners after the public service was over; their houses were broke open, and their hearers taken into custody; warrants were issued out for levying £20 on the minister, £20 upon the house, and five shillings upon each hearer. If the money was not immediately paid, there was a seizure of their effects, the goods and wares were taken out of the shops; and in the country, cattle were driven away and sold for half the value. If the seizure did not answer the fine, the minister and people were hurried to prison, and held under close confinement for three or six months. The trade of an informer began to be very gainful, by the encouragement of the spiritual courts. At every Quarter-Sessions several were fined for not coming to church, and others excommunicated: nay, some

have been sentenced to abjure the realm, and fined in a sum much larger than all they were worth in the world."[b]

"Before the Conventicle Act took place the laity were courageous,[c] and exhorted their ministers to preach till they went to prison; but when it came home to themselves, and they had been once in jail, they began to be more cautious, and consulted among themselves how to avoid the edge of the law in the best manner they could; for this purpose their assemblies were frequently held at midnight, and in the most private places; and yet, notwithstanding all their caution, they were frequently disturbed; but it is remarkable, that under all their hardships they never made the

[b] Neal's History of the Puritans, vol. iv.

[c] Baxter's Life.

least resistance, but went quietly along with the soldiers or officers, when they could not fly from them. The distress of so many families made some confine themselves within their own houses, some remove themselves to the plantations, and others have recourse to occasional conformity, to avoid the penalty for not coming to church."[d]

"So great was the severity of these times, and the arbitrary proceedings of the justices, that many were afraid to pray in their families, if above four of their acquaintance, who came only to visit them, were present. Some families scrupled asking a blessing on their meat if five strangers were at table. In London, where the houses join, it was

[d] Neal's History of the Puritans, vol. iv.

thought the law might be evaded if the people met in several houses, and heard the minister through a window or hole in the wall; but it seems this was overruled, the determination being (as has been observed) in the breast of a single mercenary justice of peace."[e]

But, however harsh and relentless was the manner, in which the regulations of the law against conventicles were put in force, it by no means satisfied the Chancellor; whose capacity of persecution appears to have been fully worthy of those *better days*, when the fires of Smithfield were lighted against heresy. "This Bill," he observes in his own life, "was looked upon as the greatest discountenance the Parliament had yet given to all the factions in religion, *and if it had been vigorously executed*, would

[e] Neal's History of the Puritans, vol. iv.

no doubt have produced a thorough reformation."[f]

Rapin says, the reason of "the extreme rigour of this act, was not so much to punish the pretended transgressions of the Presbyterians, as to drive them to despair, that they might render themselves guilty indeed."[g] If this was indeed the Chancellor's barbarous and horrible intention, his memory ought to be doubly hateful to every just and honourable mind. And that some such motive actuated him is surely obvious from the following circumstances.—

1st. That this act was but one link in a chain of premeditated persecution, which was neither called for by the circum-

[f] Continuation of the Life of Edward Earl of Clarendon.

[g] Rapin's History of England, vol. ii.

stances of the times, nor by the dispositions of the court. 2dly. That it was directed most particularly against that peculiar body of dissenters, who were the most orderly and the best subjects of all the sectaries; and who had, at the late restoration, given proofs of the greatest loyalty. 3dly. That the vexatious severity, with which the provisions of the act were put in force, could evidently answer no purpose but that of irritating the victims of it to madness, and thereby inciting them to acts of insubordination and rebellion.

The following year (1665) the Chancellor completed his penal code by the enactment of the *Five Mile Act*. This was a measure of the most vexatious cruelty, and intended by Clarendon to deprive the non-conformist ministers of the very

means of subsistence, by separating them from their friends, and from those to whom they were known. By it, no[h] non-conformist teacher, under what denomination soever, was allowed to dwell or come, unless upon the road, within five miles of any corporation or any other place where he had been minister, or had preached, after the Act of Oblivion, unless he first took the following oath. *I do swear that it is not lawful upon any pretence whatsoever to take arms against the King; and that I do abhor the traitorous position of taking arms by his authority against his person, or against those that are commissioned by him, in pursuance of such commissions; and that I will not at any time endeavour any alteration of government either in church or state.* The for-

[h] Rapin.

feiture for each offence was the sum of forty pounds, one-third of which was to go to the King, another third to the poor, and a third to the informer. It was further enacted, that such as should refuse the oath aforesaid, should be incapable of teaching any public or private schools, or of taking any boarders to be taught or instructed, under pain of the same fine. Any two justices of peace, upon oath made before them of any offence committed against this act, were empowered to commit the offender to prison for six months, without bail or mainprize.[1]

An anonymous author before quoted observes upon this act, "that it seemed to be the last step in the climax of intolerance; for to deprive men of the means

[1] Neal.

of subsistence implies more deliberate cruelty, though it does not excite so much horror, as fire and faggots.

Rapin, who strongly reprobates the Five Mile Act, tells us, that it met with great opposition in the House of Lords, even from the Earl of Southampton, Lord Treasurer, though the intimate friend of Lord Clarendon, the principal author of the persecution against the non-conformists.[k] Southampton, in his place in the House, declared that, "it enforced an unlawful and unjustifiable oath, which no honest man could take."[l] The Lords Wharton and Ashley, and Dr. Earl, Bishop of Salisbury,[m] also vehemently opposed the bill; but Lord Cla-

[j] Secret History of the Reign of Charles II., vol. ii.

[k] Rapin, vol. ii.—Burnet.—Echard.

[l] Hume.—Neal.

[m] Neal.

rendon and the rest of the bishops, together with most of the secret favourers of popery,[n] (who hoped, by turning public indignation against the Protestant sectaries, to direct it from their own religion,) were too strong for them, and it passed triumphantly; and on the 31st of October, 1665, received the royal assent.

"The great body of the non-conformist ministers," as had been expected, "refused to take the oath, choosing rather to forsake their habitations, their relations and friends, and all visible support, than destroy the peace of their consciences. Those ministers who had some little estate or substance of their own, retired to some remote or obscure villages, or such little market-towns as were not corporations, and more than

[n] Burnet.

five miles from the places where they had preached; but in many counties it was difficult to find such places of retirement; for either there were no houses untenanted, or they were annexed to farms, which the ministers were not capable of using; or the people were afraid to admit the ministers into their houses, lest they should be suspected as favourers of non-conformity.° Some took advantage of the ministers' necessities, and raised their rents beyond what they could afford to give. Great numbers were thus buried in obscurity; while others, who had neither money nor friends, went on preaching as they could, till they were sent to prison, thinking it more eligible to perish in a jail than to starve out of one; especially

° Baxter's Life.—Burnet.

when by this means they had some occasional relief from their hearers, and hopes that their wives and children might be supported after their death.[p] Many who lay concealed in distant places from their flocks in the day-time, rode thirty or forty miles to preach to them in the night, and retired again before day-light. These hardships tempted some few to conform (says Mr. Baxter) contrary to their former judgments; but the body of dissenters remained steadfast to their principles, and the church gained neither reputation nor numbers. The informers were very diligent in hunting after their game; and the soldiers and officers behaved with great rudeness and violence. When they missed of the ministers, they went

[p] Baxter's Life.

into the barns and out-houses, and sometimes thrust their swords up to the hilts in the hay and straw, where they supposed they might lie concealed; they made havoc of their goods, and terrified the women and children almost out of their lives."[q]

"And, as if the judgments of heaven upon this nation were not heavy enough, nor the legislature sufficiently severe, the bishops must throw their weight into the scale; for, in the very midst of the plague, July 7th, 1665, Archbishop Sheldon sent orders to the several bishops of his province to return the names of all ejected non-conformist ministers, with their places of abode and manner of life; and the returns of the several bishops are still in the Lambeth

[q] Neal's History of the Puritans, vol. iv.

Library. The design of this inquiry was to gird the laws closer upon the dissenters, and to know by what means they earned their bread: and if this tender-hearted archbishop could have had his will, they must have starved, or sought a livelihood in foreign countries."[r] It was computed that *sixty thousand persons* suffered on a religious account under these persecutions, and that of this number *five thousand* perished in prison.[s]

In speaking of the series of penal acts, which we have been just enumerating, Hume in conclusion observes, "had not the spirit of the nation undergone a change, these violences were preludes to the most violent persecu-

[r] Neal's History of the Puritans, vol. iv.

[s] Godwin's Lives of the Philips's. — Jeremiah White's Collection.

tion."[t] The change the spirit of the nation underwent was caused by the disgrace and banishment of Clarendon in 1667. "It was a great ease that befel good men by his fall," says Baxter; "for his way was to decoy men into conspiracies, or pretended plots, and upon those rumours innocent people were laid in prison, so that no man knew when he was safe; whereas since his time, though the laws have been made more severe, yet men are more safe."[u] It is impossible to afford a greater proof of the vexatious tyranny of Lord Clarendon's administration, than may be derived from an attentive consideration of the foregoing extract. Baxter, who wrote it, was himself a contem-

[t] Hume's History, vol vi.
[u] Baxter's Life.

porary and a sufferer; and in those capacities he delivers it as his deliberate opinion, that, though after the Chancellor's fall the laws themselves were made more harsh, they were more tolerable to live under, because no longer executed by his unrelenting and implacable hand.

I shall conclude the account of the Chancellor's religious persecutions in the impressive words of two writers of eminence.

"The author of the Declaration of Breda, and of the repeated violations of the faith of that declaration towards all persons dissenting from the Church of England and the liturgy, was the Earl of Clarendon. By a singular destiny all the folly, the impolicy, and the guilt of his administration, has been swallowed up in his character as an historian; and

in consideration of his having enriched the world with an admirable narrative of the adversities of Charles I., posterity have been inclined to forgive him all the enormities he perpetrated as first minister of Charles II."[v] "His lordship was undoubtedly a person of very considerable abilities, which have been sufficiently celebrated by his admirers, but I have not been able to discover any great or generous exploits for the service of the public; and how far his conduct with regard to the non-conformists was consistent with humanity, religion, or honour, must be left with the reader."[w]

In order to give additional testimony of the power and arrogance[x] of the

[v] Godwin's Lives of the Philips's.

[w] Neal's History of the Puritans, vol. iv.

[x] Rapin says of him, "that his behaviour was rough, and always too haughty."

Chancellor, as they appeared to his contemporaries, it will now be necessary to return to Pepys's Diary, and to state his account of two conversations he held with Mr. Povy and Sir William Coventry.

In June, 1667, Mr. Povy[y] tells him, "That the Duke of York's marriage hath undone the kingdom, *by making the Chancellor so great above reach*, who otherwise would have been but an ordinary man to have been dealt with by other people; and he would have been careful of managing things well, for fear of being called to account; *whereas now he is secure, and hath let things run to rack, as they now appear.*"[z]

[y] Mr. Povy, according to the noble Editor of Pepys's Diary, was named Thomas Povy; was Member of Parliament for Bossiney in 1658; and subsequently Treasurer for Tangier.

[z] Pepy's Diary, vol. ii. Mr. Povy again delivers

In September of the same year Pepys, in a conversation with Sir William Coventry,[a] says to him, " I did

the same opinion in a subsequent conversation with Pepys.

[a] Sir William Coventry was, according to the universal testimony of his contemporaries, a very eminent man. Sir William Temple in his Memoirs says, " Sir William Coventry had the most credit of any man in the House of Commons, and I think the most deservedly." Burnet calls him " a man of great notions and eminent virtues, and the best speaker in the House of Commons," and adds, that when he knew him, " he had become a very religious man." Pepys omits no opportunity of praising him; and Lord Dartmouth observes, " that he was the most esteemed and beloved of any courtier that ever sat in the House of Commons, where his word always passed for an undoubted truth without further inquiry: which the Duke of Buckingham would have had him make use of to deceive them, upon which Coventry challenged him." The Duke of Buckingham, as it is well known, was not of a fighting disposition, and he therefore got Coventry forbid the court. Upon this he retired to Minster Lovel in Oxfordshire; and passed the rest of his days in tranquil retirement, refusing all places that were

then desire to know, what was the great matter that grounded his desire of the Chancellor's removal? He told me many things not fit to be spoken, and yet not any thing of his being unfaithful to the King, but, *instar omnium*, he told me *that while he was so great at the Council Board, and in the administration of matters, there was no room for any body to propose any remedy to what was amiss, or to compass any thing, though ever so good for the kingdom, unless approved by the Chancellor, he managing all things with that*

subsequently offered to him. He was the fourth and youngest son of Thomas, first Lord Coventry, and sometime Lord Keeper. He was long a Member of Parliament. On the Restoration he was made Secretary to the Duke of York; in 1662 he was a Commissioner of the Admiralty; in 1665 he was Knighted, and sworn of the Privy Council; in 1667 he was made one of the Commissioners of the Treasury. He died June 23d, 1686, at Somerhill near Tunbridge.

greatness which will now be removed,[b] that the King may have the benefit of others' advice."[c]

Here we close the case against Lord Clarendon upon the score of his corrupt and rapacious practices, of his cruel and tyrannical measures; but there are one or two other points in his character, one or two other acts of his life, which ought to be mentioned, though they do not come precisely under these heads. They are, his encouragement of the attempts to assassinate Cromwell; the act he passed upon the subject of the religion of Charles II.; and the blasphemous comparison he makes in his History in speaking of the execution of

[b] The King had taken the Great Seal from him on the 13th of August.

[c] Pepys's Diary, vol. ii.

the first Charles. The first will tend to show how little scrupulous he was of the means he employed to compass his ends—the second displays in its full perfection the crooked policy of the thorough-paced politician — while the third gives us some notion of the degree of respect for religion entertained by this pretended patron of the Protestant faith.

We find abundant proofs in the collection of the Clarendon State Papers, published at Oxford in 1786, of the connivance of the Chancellor in the bloody designs of some of the more unprincipled cavaliers to murder Cromwell. Indeed, it appears that a regular account of the proceedings of these ruffians was sent to him, and that they were incited by him to persevere in them. It is not by any means impossible that he may even have been himself the author of

some of these brilliant schemes; at all events it is evident, from the style of the different letters addressed to him upon the subject, that he did not in any way discourage them.

On the 27th of January, 1657, Captain Titus,[c] under the name of Mr. Jennings,

[c] Silas Titus was the author of the celebrated Pamphlet entitled "Killing no murder," of which the object was to incite persons to the assassination of Cromwell. Titus, as we have seen in the text, did not confine his attempts against Cromwell's life to his pen. Clarendon, apparently at the Restoration, quarrelled with his former tool Titus, perhaps left him unrewarded; for he is mentioned by Sir Peter Pett, in a letter to Anthony A Wood, as one of the Chancellor's opponents in Parliament. He was a mere adventurer, and served at different periods of his life all sides and all parties. Swift says, "he was the greatest rogue in England," which is not difficult to be believed. He was born about 1622, and died some time during the reign of William III. He was first a Captain in the Parliament army; afterwards Groom of the Bed-chamber to Charles II.; a great supporter of Titus Oates and the Popish Plot; and subsequently made a Privy Coun-

writes thus from Antwerp to Sir Edward Hyde.

"Never was any thing more unhappily prevented than the killing Cromwell the first day of the Parliament, and I find the relation Saxby made of that business was true, for Major Wood was a spectator. All things were as well prepared as was imaginable, and Major General Brown resolved, had it taken effect, to engage; since that time, those that were to do it have grown cold, and

cillor by James II. He was long a Member of the House of Commons.

[a] Saxby was an adventurer, who appears to have volunteered his services through Father Talbot, to murder Cromwell. But, though he did not shrink from crime, he seems to have been peculiarly fanciful and nice in smaller matters, for Father Talbot, in his letter to Charles in the Clarendon State Papers, dated November 22d, 1656, begs that he may be excused, when presented to the King, from kneeling, "which," he says, "he thinks to be a sort of idolatry!"

could never agree of the way; but Major Wood is very confident, that had not Saxby come away, the business had been done long since, and I cannot but be of the same opinion. However, there is yet no disorder in the affair, and Saxby is resolved to prosecute it, and speedily to put things to a trial; and to that purpose he is preparing to go suddenly for England, and Major Wood with him, and I believe Massey and Jennings will not stay long behind them. I am most importunely interrupted, and am forced to break off, and therefore crave your pardon till the next post."[f]

The same personage again writes to him on the 3d of February.

"I shall now give you a fuller ac-

[f] Clarendon State Papers, vol. iii.

count of this unlucky business than yesterday I had time to do. I shall not trouble you much with my opinion concerning it, because it is so easy and common to find faults when things have miscarried, and not very ingenuous to judge of things, and censure them by the effects. But as far as I can see into the matter, this powder plot required too much time, too many persons, and was subject to too many accidents to be carried on with any reasonable hopes that it should succeed. Saxby and Major Wood were of the same opinion; but Wildman was opinionated in the business, and his authority prevailed. And by a letter of his he seems to insinuate, that this was not only intended to destroy Cromwell, but if he should chance to escape, the setting Whitehall

on fire was to be the watchword to a rising; but this leaves us still in good hopes that Cecill, that discovered all, never did know Saxby, Wildman, or who Major Wood was, but only came in upon the score and confidence of him, that, as they say, hath suffered for it?"[8]

Again, on the 17th of the same month, he writes as follows:—

"It seems this plot was not discovered by Cecill as we heard, but by one of Cromwell's life-guards, whom Cecill had made privy to it, upon a confidence he had, that being a discontented person, he would have assisted in it. This fellow betraying Cecill, Cecill immediately confessed all he knew, and

[8] Clarendon State Papers, vol. iii.

more. Upon this Syndercombe was apprehended, who singly beat the guard that was sent to apprehend him, and made them cry out murther; but at last one getting behind him cut off his nose, and so they took him. No man can behave himself with greater resolution than he hath done, and we are confident will do; and then the discovery can be made no farther. Wildman hath assured Saxby that all things were so disposed, that had it not been discovered, Cromwell had not lived that night."[h]

On the 15th of March he writes from Breda—"Sir, I had long before now prevented yours of the 7th, but that I had nothing worth your trouble. Saxby came with me to this place, and is since gone to Amsterdam, from whence I have

[h] Clarendon State Papers, vol. iii.

not yet heard from him, but daily expect a summons to meet him. I believe that immediately upon his return he will go for England, and I am confident that he will either procure Cromwell's death or his own, for I know he goes as much resolved in that purpose as any man can do; and I know if any man can have opportunity to effect it he will. And Major Wood assures me, that had not Saxby come out of England when he did, the business had not been now to do. This thing in effect is all I can persuade myself to rely upon; for that Saxby should be able by his interest to divide the army, and to get a party considerable enough to oppose Cromwell by force, I have not any proportion of faith to believe."[1]

[1] Clarendon State Papers, vol. iii.

Father Peter Talbot, a Catholic priest, deeply engaged in the plots against Cromwell, and who, it appears, introduced the assassin Saxby to the notice of the King and of Clarendon, writes thus from Ghent to the latter, on the 18th of August, 1657 :—

"I have had a relation of Colonel Saxby's ill fortune, he was betrayed both in Holland and England; and though Cromwell should poison him, the business is not yet lost, though the loss of his person be great. There are endeavours from divers parties to cut Cromwell off, as I suppose you know better than I."[k]

The death, by natural means, of Oliver Cromwell, on the 3d of September,

[k] Clarendon State Papers, vol. iii.

1658, prevented the Chancellor from assisting in the perpetration of the crime, which it is proved by these documents he had concurred in meditating. The guilt of intention however rests with him in the clearest and most satisfactory manner. This is acknowledged even, and deplored, by his panégyrist Macdiarmid, who says,—"It is not to be concealed that even Hyde encouraged the attempts of Captain Titus and others to assassinate Cromwell. To such a degree do men reconcile themselves to the worst means, when they are eagerly bent on the end, that even this conscientious minister, in his devotion to the rights of the King, forgot what was due to the rights of human nature."[1]

[1] Macdiarmid's Lives of British Statesmen, vol. ii.

At the time of the Restoration Clarendon was certainly aware that Charles II. was a Roman Catholic; and therefore had he been the good Protestant he affected to be; had he had the welfare of the Reformed religion, or indeed of the country, as much at heart as he professed, so far from assisting to restore Charles, he would have insisted upon his being excluded. At all events he would have stated what he knew upon the subject of his religion, and then left the people to make their own choice. Instead of this he carefully concealed the fact, but passed an act in July, 1661, by which he made "any man who should maliciously or advisedly publish or affirm that his Majesty was a Papist[m] liable to all the severe penalties

[m] Rapin.

of a præmunire."[n] That is to say, he inflicted a most unjust punishment upon any one who should say what he, Clarendon, who made the law, knew to be true. This may be thought a small circumstance, but it surely shows the unjust, the unconstitutional, and the crooked policy of Clarendon in the strongest and most remarkable light.

I now come to the last point to which I shall have to call the attention of the reader: namely, the Chancellor's comparison of the martyrdoms of our blessed Saviour and of Charles I. In his History, when speaking of the execution of King, he has this sentence, "The pronouncing that horrible sentence upon the most innocent person in the world,

[n] Neal.

and the execution of that sentence *by the most execrable murder that was ever committed since that of our blessed Saviour.*"[o]

Upon this passage Warburton's observation is, "nothing can excuse this indecent reference in a pious man like the noble historian."[p] Had Clarendon been "a pious man" he certainly would never have made the remark; nor would it even have entered into his head to do so. Thousands, tens of thousands of men more innocent than the tyrannical Charles[q] have been put to death, with-

[o] Clarendon's History of the Rebellion, Oxford Edition, vol. vi.

[p] Extracted from Bishop Warburton's curious Notes on Lord Clarendon's History, published in the last edition of that work.

[q] I beg it to be understood, that though I apply the

out their executions being likened to that of the Saviour of mankind. It shows either a most perverted intellect, or the grossest ignorance of the religion of the New Testament to have even thought of making such an allusion.[r]

epithet "tyrannical" to Charles, I am by no means prepared to go the length of justifying his execution by the Parliament. But that when he had power, he fully justified the charge of tyranny, no impartial man can, I think, deny.

[r] The University of Oxford were guilty of a similar act of irreverence. They had two portraits made of Christ and of Charles I. exactly similar in every respect, and with an account of the sufferings of each at the bottom of his respective likeness. These pictures, in the memory of persons now alive, were hung as *pendants* to one another in the Bodleian Library. The improved taste of the present day has caused one to be removed into the Picture Gallery. The other remains in its old position—and thus both may still be examined by those who are curious in tracing the baseness and blasphemy of the supporters in old times of the doctrines of passive obedience.

And yet this is the man who is held up by some historians to all posterity as the champion of Christianity. That he restored the Church to its possessions, and the bishops to their seats in the House of Lords, is undoubtedly true, because he regarded them as a useful state engine, and intimately connected with a monarchical form of government: But this is a very different thing from his having been himself a sincere Christian; which the whole tenor of his life would indeed lead us to doubt. His conduct to the sectaries, which has already related, proves that he was far from being actuated by the mild and forgiving tenets of the Gospel, and the comparison just quoted, though it may be deemed at first sight of small importance, is surely an additional evid

how little he was really acquainted with the subject.

Having said thus much upon the different points which it was my wish and intention to bring before the notice of the public, I deem it fair to add, that, though my decided conviction is that Clarendon was all that I have stated, I am by no means disposed to deny that he had merits: that in private life his conduct was good: that as a minister he was (as indeed I have before stated) more decent, and probably more conscientious than his successors: and that, in point of talents, he was one of the very first men of his age. These subjects, however, do not come in detail within the scope of my plan, narrowed, as it professed to be at the commencement of these pages, to the elucidation of parti-

cular circumstances in the life and character of the Chancellor, hitherto but little noticed by his biographers.

Thus have been laid before the reader the various authorities, facts, and statements of circumstantial evidence, which have led the author of these pages to the following conclusions:—

That the strongest suspicions attach to the character of Lord Clarendon upon the score of rapacious and corrupt practices; and that it is evident, that such was the general opinion of his contemporaries.

That his measures against the Puritans were of a most cruel and tyrannical nature.

That various circumstances of different kinds favour very strongly the belief of his having been an unconstitutional

and, in some respects, an unprincipled politician, whose religion was also, probably, more of a political kind than any thing else.

And lastly, that his character has been unjustly favoured by historians from various motives—for party purposes; from pity for his subsequent misfortunes; from admiration of his talents, and especially of his historical work; and from a just dislike and contempt of his successors.

Whether the public will agree in these conclusions remains to be seen. Perhaps the author is too sanguine, but he cannot help hoping that those, who bring an impartial mind to the consideration of the subject, will allow that he has some ground for his opinions. If he has been in error in any of his state-

ments, (which he trusts and believes is not the case) he hopes in some measure, at least, to be forgiven, in consideration of his endeavours to be accurate, which he can truly say have been unintermitting. To quote from works of authority; to trouble the world with as little of his own reflections as possible, and at the same time to redress certain errors in history, have been his objects; and if he shall be deemed by the intelligent part of mankind in any degree to have accomplished them, he shall feel himself amply rewarded for his labours.

THE END.

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